

(1) striking subparagraphs (D) through (G);
 (2) inserting "and" after the semicolon following subparagraph (B); and
 (3) changing the semicolon following subparagraph (C) to a period.

(e) Section 207(j) of the Agricultural Act of 1949 is amended by striking "1998" and inserting "1995".

(f) Section 405(a) of the Agricultural Act of 1949 is amended by striking in the first sentence "section 405A" and inserting "sections 207 and 405A".

(g) Section 405A(a) of the Agricultural Act of 1949 is amended by striking all that follows "1992 crop year," and inserting "and \$150,000 in the 1993 crop year..".

(h) A provision of this section may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

TITLE VII—ENFORCEMENT

SEC. 701. DEDICATION OF SAVINGS TO DEFICIT REDUCTION.

(a) DIRECT SPENDING.—None of the changes in direct spending and receipts resulting from this Act shall be reflected in estimates under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) DISCRETIONARY SPENDING.—Upon the enactment of this Act, the Director of the Office of Management and Budget shall make downward adjustments in the discretionary spending limits (new budget authority and outlays), as adjusted, set forth in 601(a)(2) of the Congressional Budget Act of 1974 for each of fiscal years 1994 through 1998 as follows:

(1) For fiscal year 1994, reduce new budget authority by \$5,477,000,000 and reduce outlays by \$2,987,000,000.

(2) For fiscal year 1995, reduce new budget authority by \$8,198,000,000 and reduce outlays by \$6,967,000,000.

(3) For fiscal year 1996, reduce new budget authority by \$9,546,000,000 and reduce outlays by \$9,372,000,000.

(4) For fiscal year 1997, reduce new budget authority by \$10,376,000,000 and reduce outlays by \$11,080,000,000.

(5) For fiscal year 1998, reduce new budget authority by \$11,211,000,000 and reduce outlays by \$12,113,000,000.

(c) SECTION 602 ALLOCATIONS.—

(1) HOUSE APPROPRIATIONS COMMITTEE.—The allocations in effect under section 602(a)(1) of the Congressional Budget Act of 1974 for fiscal year 1994 for the Committee on Appropriations of the House of Representatives are reduced by \$5,477,000,000 in outlays and by \$3,056,000,000 in budget authority.

(2) SENATE APPROPRIATIONS COMMITTEE.—The allocations in effect under section 602(a)(2) of the Congressional Budget Act of 1974 for fiscal year 1994 for the Committee on Appropriations of the Senate are reduced by \$5,477,000,000 in outlays and by \$3,056,000,000 in budget authority.

(3) SUBALLOCATIONS.—Each Committee on Appropriations is authorized and directed to immediately adjust its suballocations among its subcommittees for fiscal year 1994 to reflect the lower allocations provided by subsection (a) in a manner that accurately reflects the changes in law made by this Act and to promptly report to its House of Congress suballocations revised under this subsection.

(4) EFFECT.—The allocations and suballocations as adjusted by this section shall be deemed to be allocations made under section 602(a)(1) and suballocations made under section 602(b)(1) of the Congressional Budget Act of 1974.

(5) SECTION 601.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by inserting "or as adjusted pursuant to section 701(b) of the Common Cents Deficit Reduction Act of 1993" before the period at the end.

It was decided in the { Yeas 213
 negative Nays 219

¶140.24

[Roll No. 609]

AYES—213

| | | |
|--------------|--------------|---------------|
| Allard | Goodling | Molinari |
| Andrews (NJ) | Gordon | Moorhead |
| Andrews (TX) | Goss | Murphy |
| Archer | Grams | Nussle |
| Armey | Grandy | Orton |
| Bacchus (FL) | Greenwood | Oxley |
| Bachus (AL) | Gunderson | Packard |
| Baesler | Hall (TX) | Paxon |
| Baker (CA) | Hamilton | Payne (VA) |
| Baker (LA) | Hancock | Penny |
| Ballenger | Hansen | Peterson (MN) |
| Barca | Harman | Petri |
| Barlow | Hastert | Pombo |
| Barrett (NE) | Hayes | Pomeroy |
| Barrett (WI) | Hefley | Porter |
| Bartlett | Herger | Portman |
| Barton | Hoagland | Poshard |
| Bateman | Hobson | Pryce (OH) |
| Bentley | Hoekstra | Quinn |
| Bereuter | Hoke | Ramstad |
| Bilirakis | Holden | Ravenel |
| Bliley | Houghton | Regula |
| Blute | Huffington | Ridge |
| Boehner | Hunter | Roberts |
| Bonilla | Hutchinson | Roemer |
| Browder | Hyde | Rohrabacher |
| Bunning | Inglis | Roukema |
| Burton | Inhofe | Rowland |
| Buyer | Inslee | Royce |
| Callahan | Istook | Santorum |
| Calvert | Johnson (CT) | Saxton |
| Camp | Johnson (GA) | Schaefer |
| Canady | Johnson, Sam | Schenk |
| Cantwell | Kaptur | Schiff |
| Castle | Kasich | Sensenbrenner |
| Coble | Kim | Sharp |
| Collins (GA) | Kingston | Shaw |
| Condit | Klink | Shays |
| Cooper | Klug | Shuster |
| Coppersmith | Knollenberg | Slattery |
| Cox | Kolbe | Smith (MI) |
| Crane | Kyl | Smith (NJ) |
| Crapo | Lambert | Smith (OR) |
| Cunningham | Lancaster | Smith (TX) |
| Deal | LaRocco | Snowe |
| DeLay | Laughlin | Solomon |
| Dickey | Leach | Spence |
| Dooley | Lewis (CA) | Stearns |
| Doolittle | Lewis (FL) | Stenholm |
| Dornan | Linder | Stump |
| Dreier | Livingston | Sundquist |
| Duncan | Long | Swett |
| Dunn | Mann | Talent |
| Edwards (TX) | Manzullo | Tanner |
| Emerson | Margolies- | Tauzin |
| Everett | Mezvinsky | Taylor (MS) |
| Ewing | Mazzoli | Taylor (NC) |
| Fawell | McCandless | Thomas (CA) |
| Fields (TX) | McCollum | Thomas (WY) |
| Fingerhut | McCrery | Torkildsen |
| Fish | McCurdy | Upton |
| Fowler | McHale | Vucanovich |
| Franks (CT) | McHugh | Walker |
| Franks (NJ) | McInnis | Walsh |
| Galleghy | McKeon | Weldon |
| Gallo | McMillan | Wolf |
| Gekas | Meehan | Young (AK) |
| Geren | Meyers | Young (FL) |
| Gilchrest | Mica | Zeliff |
| Gillmor | Michel | Zimmer |
| Gingrich | Miller (FL) | |
| Goodlatte | Minge | |

NOES—219

| | | |
|--------------|--------------|--------------|
| Abercrombie | Brown (OH) | de la Garza |
| Ackerman | Bryant | DeFazio |
| Andrews (ME) | Byrne | DeLauro |
| Applegate | Cardin | Dellums |
| Barcia | Carr | Derrick |
| Becerra | Chapman | Deutsch |
| Beilenson | Clay | Diaz-Balart |
| Berman | Clayton | Dicks |
| Bevill | Clement | Dingell |
| Bilbray | Clyburn | Dixon |
| Bishop | Coleman | Durbin |
| Blackwell | Collins (IL) | Edwards (CA) |
| Boehlert | Collins (MI) | Engel |
| Bonior | Combest | English (AZ) |
| Borski | Conyers | English (OK) |
| Boucher | Costello | Eshoo |
| Brewster | Coyne | Evans |
| Brooks | Cramer | Farr |
| Brown (CA) | Danner | Fazio |
| Brown (FL) | Darden | Fields (LA) |

| | | |
|---------------|---------------|-------------|
| Filner | Maloney | Rush |
| Flake | Manton | Sabo |
| Foglietta | Markey | Sanders |
| Foley | Martinez | Sangmeister |
| Ford (MI) | Matsui | Sarpalius |
| Ford (TN) | McCloskey | Sawyer |
| Frank (MA) | McDade | Schroeder |
| Frost | McDermott | Schumer |
| Furse | McKinney | Scott |
| Gedjenson | McNulty | Serrano |
| Gephardt | Meek | Shepherd |
| Gibbons | Menendez | Sisisky |
| Gilman | Mfume | Skaggs |
| Glickman | Miller (CA) | Skeen |
| Gonzalez | Mineta | Skelton |
| Green | Mink | Slaughter |
| Gutierrez | Moakley | Smith (IA) |
| Hamburg | Mollohan | Spratt |
| Hastings | Montgomery | Stark |
| Hefner | Moran | Stokes |
| Hilliard | Morella | Strickland |
| Hinchey | Murtha | Studds |
| Hochbrueckner | Myers | Stupak |
| Horn | Nadler | Swift |
| Hoyer | Natcher | Synar |
| Hughes | Neal (MA) | Tejeda |
| Hutto | Neal (NC) | Thompson |
| Jacobs | Oberstar | Thornton |
| Jefferson | Obey | Thurman |
| Johnson (SD) | Olver | Torres |
| Johnson, E.B. | Ortiz | Torricelli |
| Johnston | Owens | Towns |
| Kanjorski | Pallone | Traficant |
| Kennedy | Parker | Tucker |
| Kennelly | Pastor | Unsoeld |
| Kildoe | Payne (NJ) | Valentine |
| King | Pelosi | Velazquez |
| Klecza | Peterson (FL) | Vento |
| Klein | Pickett | Visclosky |
| Kopetski | Pickle | Volkmer |
| Kreidler | Price (NC) | Washington |
| LaFalce | Quillen | Waters |
| Lantos | Rahall | Watt |
| Lazio | Rangel | Waxman |
| Lehman | Reed | Wheat |
| Levin | Reynolds | Whitten |
| Levy | Richardson | Williams |
| Lewis (GA) | Rogers | Wilson |
| Lightfoot | Ros-Lehtinen | Wise |
| Lipinski | Rose | Woolsey |
| Lloyd | Rostenkowski | Wyden |
| Lowey | Roth | Wynn |
| Machtley | Roybal-Allard | Yates |

NOT VOTING—7

| | | |
|--------------|--------------|----------------|
| Clinger | Faleomavaega | Norton (DC) |
| de Lugo (VI) | (AS) | Romero-Barcelo |
| | Hall (OH) | (PR) |
| | | Underwood (GU) |

So the amendment was not agreed to.
 After some further time,

¶140.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FRANK:

Add the following at the end of the bill:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Government Reform and Savings Act of 1993".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

Sec. 1001. Department of Agriculture reorganization.

Subtitle B—Eliminating Federal Support for Honey

Sec. 1101. Amendments to section 207 of the Agricultural Act of 1949.

Sec. 1102. Amendment to section 405 of the Agricultural Act of 1949.

Sec. 1103. Amendments to section 405A of the Agricultural Act of 1949.

Sec. 1104. Savings provision.

TITLE II—DEPARTMENT OF COMMERCE

Sec. 2001. Polar satellite convergence.

TITLE III—DEPARTMENT OF DEFENSE

- Sec. 3001. Use of proceeds from the sale of recyclable materials at military installations.
- Sec. 3002. Closure of the Uniformed Services University of the Health Sciences.
- Sec. 3003. Streamlining and reorganization of the Corps of Engineers.

TITLE IV—DEPARTMENT OF ENERGY

- Subtitle A—Alaska Power Administration Sale Authorization
- Sec. 4001. Short title.
- Sec. 4002. Sale of Snettisham and Eklutna hydroelectric projects.
- Sec. 4003. Assessment of alternative options.
- Subtitle B—Federal-Private Cogeneration of Electricity
- Sec. 4101. Federal-private cogeneration of electricity.

Subtitle C—Power Marketing Administrations

- Sec. 4201. Power Marketing Administrations refinancing study.
- Sec. 4202. Bonneville Power Administration refinancing study.
- Subtitle D—Termination of Advanced Liquid Metal Reactor Program
- Sec. 4301. Termination of advanced liquid metal reactor program.

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

- Sec. 5001. Study of methods to increase flexibility in contracting for Medicare claims processing.
- Sec. 5002. Workers' compensation data exchange pilot projects.
- Sec. 5003. Federal clearinghouse on death information.
- Sec. 5004. Continuing disability reviews.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- Sec. 6001. Multifamily property disposition.
- Sec. 6002. Section 235 mortgage refinancing.
- Sec. 6003. Use of emergency assistance funds for residency in multifamily housing disposition projects.
- Sec. 6004. Additional employees to facilitate disposition of FHA inventory properties.
- Sec. 6005. HUD streamlining.

TITLE VII—DEPARTMENT OF THE INTERIOR

- Sec. 7001. Improvement of Minerals Management Service royalty collection.
- Sec. 7002. Phase out of Mineral Institute program.
- Sec. 7003. Reorganization study of Bureau of Indian Affairs.
- Sec. 7004. Termination of annual direct grant assistance

TITLE VIII—MISCELLANEOUS PROVISIONS

- Sec. 8001. Limitation on certain annual pay adjustments.
- Sec. 8002. Reduction of Federal full-time equivalent positions.

TITLE IX—DEPARTMENT OF LABOR

- Sec. 9001. Deterrence of fraud and abuse in FECA program.
- Sec. 9002. Enhancement of reemployment programs for Federal employees disabled in the performance of duty.
- Sec. 9003. Wage determinations.
- Sec. 9004. Elimination of filing requirements.

TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY

- Sec. 10001. Improvement of efficiency of State Department activities.
- Sec. 10002. Improvement of efficiency of USIA public diplomacy activities.

TITLE XI—DEPARTMENT OF TRANSPORTATION

- Sec. 11001. Reemployment rights for certain merchant seamen.
- Sec. 11002. Reform of essential air service program.
- Sec. 11003. Airway science program.
- Sec. 11004. Collegiate training initiative.

TITLE XII—DEPARTMENT OF VETERANS AFFAIRS

- Subtitle A—Administrative Improvements
- Sec. 12001. Elimination of hospital and nursing home bed capacity requirements.
- Sec. 12002. Elimination of requirement for minimum number of personnel in the Office of Inspector General.
- Sec. 12003. Modification of administrative reorganization authority.
- Sec. 12004. Elimination of requirement for certain services in the Veterans Health Administration.
- Sec. 12005. Modification of physician requirement for certain senior Veterans Health Administration officials.
- Sec. 12006. Use of funds recovered from third parties.

Subtitle B—Closure of Certain Facilities

- Sec. 12101. Closure of supply depots.
- Sec. 12102. Waiver of other provisions.
- Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs
- Sec. 12201. Provision of data bank information to Department of Veterans Affairs.

Subtitle D—Veterans' Appeals Improvements

- Sec. 12301. Board of Veterans' Appeals.
- Sec. 12302. Decisions by the Board.
- Sec. 12303. Technical correction.
- Sec. 12304. Hearings.
- Sec. 12305. Elimination of requirement for annual income questionnaires.

TITLE XIII—HUMAN RESOURCE MANAGEMENT

- Sec. 13001. Federal workforce training.
- Sec. 13002. SES annual leave accumulation.

TITLE XIV—REINVENTING SUPPORT SERVICES

- Sec. 14001. Short title.
- Sec. 14002. Transfer of functions.
- Sec. 14003. Government publications to be available throughout the Government.
- Sec. 14004. Inventory and furnishing of Government publications.
- Sec. 14005. Additional responsibilities of the Public Printer.
- Sec. 14006. Additional responsibilities of the Superintendent of Documents.
- Sec. 14007. Depository libraries.
- Sec. 14008. Definitions.

TITLE XV—STREAMLINING MANAGEMENT CONTROL

- Sec. 15001. Authority to increase efficiency in reporting to Congress.

TITLE XVI—FINANCIAL MANAGEMENT

- Sec. 16001. Short title.
- Sec. 16002. Electronic payments.
- Sec. 16003. Franchise funds and innovation funds.
- Sec. 16004. Simplification of management reporting process.
- Sec. 16005. Annual financial reports.
- Sec. 16006. Authorization of appropriations for enhancing debt collection.
- Sec. 16007. Contracts for collection services.
- Sec. 16008. Notification to agencies of debtors' mailing addresses.
- Sec. 16009. Contracts for collection services.
- Sec. 16010. Adjusting civil monetary penalties for inflation.

TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY

- Sec. 17001. Short title.
- Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
- Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies
- Subtitle C—Energy and Water Development
- Subtitle D—Foreign Operations, Export Financing, and Related Agencies
- Subtitle E—Department of the Interior and Related Agencies
- Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies
- Subtitle G—Legislative Branch
- Subtitle H—Department of Defense-Military
- Subtitle I—Department of Transportation and Related Agencies
- Subtitle J—Treasury, Postal Service, and General Government
- Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

TITLE XVIII—ADDITIONAL DEFICIT REDUCTION PROVISIONS

- Sec. 18001. Rescission of funds and cancellation of space station.
- Sec. 18002. Rescission of funds and reduction of authorization for ballistic missile defense program.
- Sec. 18003. Rescission of funds and cancellation of advanced liquid metal reactor program.
- Sec. 18004. Reduction of forces in Europe.

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

SEC. 1001. DEPARTMENT OF AGRICULTURE REORGANIZATION.

(a) IN GENERAL.—The Secretary of Agriculture shall (1) consolidate field, regional, and national offices within the Department of Agriculture and (2) reduce personnel by not less than 7,500 staff years, so as to achieve a reduction in expenditures by the Department of not less than \$1,640,000,000 during the period fiscal years 1995 through 1999.

(b) AUTHORITIES.—In consolidating offices and reducing personnel as required by subsection (a), the Secretary shall take such action on the basis of the powers vested in the Secretary under other laws.

Subtitle B—Eliminating Federal Support for Honey

SEC. 1101. AMENDMENTS TO SECTION 207 OF THE AGRICULTURAL ACT OF 1949.

(a) Section 207(a) of the Agricultural Act of 1949 is amended to read as follows:

“(a) IN GENERAL.—For each of the 1991 through 1995 crops of honey, the price of honey shall be supported through loans, purchases, or other operations, except that for the 1994 and 1995 crops, the price of honey shall be supported through recourse loans.

“(1) For the 1991 through 1993 crop years, the rate of support shall be not less than 53.8 cents per pound.

“(2) For the 1994 and 1995 crop years, the Secretary shall provide recourse loans to producers at such a rate that minimizes costs and forfeitures, except that such rate shall not be less than 44 cents a pound. Section 407 shall not be applicable to honey forfeited to the Commodity Credit Corporation under loans made under this paragraph.

“(3) A producer who fails to repay a loan made under paragraph (2) by the end of the crop year following the crop year for which such loan was made shall be ineligible for a loan under this section for subsequent crop

years, except that the Secretary may waive this provision in any case where in which the Secretary determines that the failure to repay the loan was due to hardship conditions or circumstances beyond the control of the producer."

(b) Section 207(b) of the Agricultural Act of 1949 is amended by striking "for a crop" and inserting "for the 1991 through 1993 crops".

(c) Section 207(c) of the Agricultural Act of 1949 is amended by striking "1998" and inserting "1993".

(d) Section 207(e) of the Agricultural Act of 1949 is amended by—

(1) striking subparagraphs (D) through (G);

(2) inserting "and" after the semicolon following subparagraph (B); and

(3) changing the semicolon following subparagraph (C) to a period.

(e) Section 207(j) of the Agricultural Act of 1949 is amended by striking "1998" and inserting "1995".

SEC. 1102. AMENDMENT TO SECTION 405 OF THE AGRICULTURAL ACT OF 1949.

Section 405(a) of the Agricultural Act of 1949 is amended by striking in the first sentence "section 405A" and inserting "sections 207 and 405A".

SEC. 1103. AMENDMENTS TO SECTION 405A OF THE AGRICULTURAL ACT OF 1949.

Section 405A(a) of the Agricultural Act of 1949 is amended by striking all that follows "1992 crop year," and inserting "and \$150,000 in the 1993 crop year."

SEC. 1104. SAVINGS PROVISION.

A provision of this subtitle may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

TITLE II—DEPARTMENT OF COMMERCE

SEC. 2001. POLAR SATELLITE CONVERGENCE.

The Departments of Commerce and Defense and the National Aeronautics and Space Administration shall propose a single operational polar environmental and weather satellite system, which meets national needs. It is the sense of Congress that such a proposed system, contingent on the provision of adequate resources to fully meet the national security interests of the United States, shall be operated as a civil system by the Department of Commerce. A detailed implementation plan shall be submitted to Congress by the Director of the Office of Science and Technology Policy, in consultation with the Departments of Commerce and Defense and the National Aeronautics and Space Administration, by April 30, 1994. The plan shall be designed to result in savings of up to \$300 million in budget authority and up to \$251 million in outlays between fiscal years 1994 and 1999. The National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall jointly develop a plan to implement a program modelled after the Operational Satellite Improvement Program for the purpose of making incremental enhancements in operational weather satellite systems. The goal of the plan shall be to achieve these enhancements in a cost effective manner by implementing procedures aimed at avoiding duplication of effort, cost overruns, and schedule delays. The Administrators of the National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall submit to Congress no later than April 30, 1994, a report detailing the elements of the plan and outlining savings in budget authority and budget outlays projected through fiscal year 1999.

TITLE III—DEPARTMENT OF DEFENSE

SEC. 3001. USE OF PROCEEDS FROM THE SALE OF RECYCLABLE MATERIALS AT MILITARY INSTALLATIONS.

Section 2577 of title 10, United States Code, is amended by striking out subsections (b)

and (c) and inserting in lieu thereof the following:

"(b) Proceeds from the sale of recyclable materials at an installation shall be credited—

"(1) to funds available for operations and maintenance at that installation; and

"(2) at the discretion of the commander of the installation and if a balance remains available after such funds are credited, to the nonappropriated morale and welfare account of the installation to be used for any morale or welfare activity."

SEC. 3002. CLOSURE OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) CLOSURE REQUIRED.—Section 2112 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by inserting "and the closure" after "The development"; and

(B) by striking out "subsection (a)" and inserting in lieu thereof "subsections (a) and (b)"; and

(2) by striking out subsection (b) and inserting in lieu thereof the following new subsection:

"(b)(1) Not later than September 30, 1998, the Secretary of Defense shall close the University. To achieve the closure of the University by that date, the Secretary shall begin to terminate the operations of the University beginning in fiscal year 1995. On account of the required closure of the University under this subsection, no students may be admitted to begin studies in the University after September 30, 1994.

"(2) Section 2687 of this title and any other provision of law establishing preconditions to the closure of any activity of the Department of Defense shall not apply with regard to the termination of the operations of the University or to the closure of the University pursuant to this subsection."

(b) FINAL GRADUATION OF STUDENTS.—Section 2112(a) of such title is amended—

(1) in the second sentence, by striking out "with the first class graduating not later than September 21, 1982." and inserting in lieu thereof "except that no students may be awarded degrees by the University after September 30, 1998."; and

(2) by adding at the end the following new sentence: "On a case-by-case basis, the Secretary of Defense may provide for the continued education of a person who, immediately before the closure of the University under subsection (b), was a student in the University and completed substantially all requirements necessary to graduate from the University."

(c) TERMINATION OF UNIVERSITY BOARD OF REGENTS.—Section 2113 of such title is amended by adding at the end the following new subsection:

"(k) The Board shall terminate on September 30, 1998, except that the Secretary of Defense may terminate the Board before that date as part of the termination of the operations of the University under section 2112(b) of this title."

(d) PROHIBITION ON RECIPROCAL AGREEMENTS.—Section 2114(e)(1) of such title is amended by adding at the end the following new sentence: "No agreement may be entered into under this subsection after September 30, 1994, and all such agreements shall terminate not later than September 30, 1998."

(e) CONFORMING AMENDMENTS.—(1) Section 178 of such title, relating to the Henry M. Jackson Foundation for the Advancement of Military Medicine, is amended—

(A) in subsection (b), by inserting after "Uniformed Services University of the Health Sciences," the following: "or after the closure of the University, with the Department of Defense,";

(B) in subsection (c)(1)(B), by striking out "the Dean of the Uniformed Services Univer-

sity of the Health Sciences" and inserting in lieu thereof "a person designated by the Secretary of Defense"; and

(C) in subsection (g)(1), by inserting after "Uniformed Services University of the Health Sciences," the following: "or after the closure of the University, the Secretary of Defense".

(2) Section 466(a)(1)(B) of the Public Health Service Act (42 U.S.C. 286a(a)(1)(B)), relating to the Board of Regents of the National Library of Medicine, is amended by striking out "the Dean of the Uniformed Services University of the Health Sciences,".

(f) CLERICAL AMENDMENTS.—(1) The heading of section 2112 of title 10, United States Code, is amended to read as follows: "**§2112. Establishment and closure of University**".

(2) The item relating to such section in the table of sections at the beginning of chapter 104 of such title is amended to read as follows:

"2112. Establishment and closure of University."

SEC. 3003. STREAMLINING AND REORGANIZATION OF CORPS OF ENGINEERS.

(a) DEVELOPMENT OF PLAN.—The Secretary of the Army shall develop a plan to reorganize the United States Army Corps of Engineers by reorganizing the headquarters offices, reducing the number of division offices, and restructuring the district functions so as to increase the efficiency of the United States Army Corps of Engineers and reduce staff and costs, with the goal of achieving approximately \$50 million in net annual savings by fiscal year 1998.

(b) TRANSMITTAL AND APPROVAL OF PLAN.—The Secretary of the Army shall transmit to Congress the plan developed under subsection (a) for approval. The Secretary shall not implement such plan until it is approved by Congress.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the "Alaska Power Administration Sale Authorization Act".

SEC. 4002. SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS.

(a) The Secretary of Energy may sell the Snettisham Hydroelectric Project (referred to in this subtitle as "Snettisham") to the State of Alaska Power Authority (now known as the Alaska Industrial Development and Export Authority, and referred to in this subtitle as the "Authority"), or its successor, in accordance with the February 10, 1989, Snettisham Purchase Agreement between the Alaska Power Administration of the United States Department of Energy and the Authority.

(b) The Secretary of Energy may sell the Eklutna Hydroelectric Project (referred to in this subtitle as "Eklutna") to the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc., and the Matanuska Electric Association, Inc. (referred to in this subtitle as "Eklutna Purchasers") in accordance with the August 2, 1989, Eklutna Purchase Agreement between the United States Department of Energy and the Eklutna Purchasers.

(c) The heads of other affected Federal departments and agencies, including the Secretary of the Interior, shall assist the Secretary of Energy in implementing the sales authorized by this Act.

(d) The Secretary of Energy shall deposit sale proceeds in the Treasury of the United States to the credit of miscellaneous receipts.

(e) There are authorized to be appropriated such sums as are necessary to prepare or ac-

quire Eklutna and Snettisham assets for sale and conveyance, such preparations to provide sufficient title to ensure the beneficial use, enjoyment, and occupancy to the purchasers of the assets to be sold.

(f) No later than one year after both of the sales authorized in section 4002 have occurred, as measured by the Transaction Dates stipulated in the Purchase Agreements, the Secretary of Energy shall—

(1) complete the business of, and close out, the Alaska Power Administration; and

(2) prepare and submit to Congress a report documenting the sales.

SEC. 4003. ASSESSMENT OF ALTERNATIVE OPTIONS.

Before taking any action authorized in section 4002, the Secretary shall assess the feasibility of alternative options for maximizing the return to the Treasury from the sale of the Alaska Power Marketing Administration.

Subtitle B—Federal-Private Cogeneration of Electricity

SEC. 4101. FEDERAL-PRIVATE COGENERATION OF ELECTRICITY.

Section 804(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)(B)) is amended by striking “, excluding any cogeneration process for other than a federally owned building or buildings or other federally owned facilities.”.

Subtitle C—Power Marketing Administrations

SEC. 4201. POWER MARKETING ADMINISTRATIONS REFINANCING STUDY.

The Administrators of the Southeastern, Southwestern and Western Area Power Administrations, in consultation with their respective firm power contractors and other interested parties (including, where applicable, the Bureau of Reclamation), shall study refinancing options, including modifications to existing financial and accounting practices that may be required to effectively and efficiently issue and manage revenue bonds. Such refinancing options shall, for each of the power systems they administer, satisfy their respective repayment obligations to the United States Treasury without causing any increase in their respective firm power rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The results of such studies shall be submitted no later than May 1, 1994, to the Speaker of the House of Representatives and the President of the Senate. Such studies shall be made within the limits of existing funding, or, if necessary, with funds contributed by firm power contractors.

SEC. 4202. BONNEVILLE POWER ADMINISTRATION REFINANCING STUDY.

The Administrator of the Bonneville Power Administration, in consultation with his customers and constituents, shall study options, including an open market buyout, a Treasury buyout, or any other reasonable alternative that would lead to a permanent resolution of the repayment reform initiative directed at Bonneville's appropriation investment repayment obligation. Such refinancing options shall satisfy the outstanding appropriated investment repayment obligation, without increasing rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The result of this study shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than March 1, 1994.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

SEC. 4301. TERMINATION OF ADVANCED LIQUID METAL REACTOR PROGRAM.

(a) IN GENERAL.—No amount of funds provided for any fiscal year may be obligated by

the Secretary of Energy after the date of the enactment of this Act for the civilian portion of the advanced liquid metal reactor program, including—

(1) the program's promotion of the use of such reactors for the disposal of high-level radioactive waste; and

(2) Department of Energy support for regulatory applications to the Nuclear Regulatory Commission for design certification for advanced liquid metal reactors or related licensed facilities.

(b) PROHIBITION OF OTHER USES.—The amount of funds available on the date of the enactment of this Act for obligation for the program described in subsection (a) shall not be available for obligation by the Secretary of Energy after such date for any other purpose.

(c) EXCEPTION.—Subsections (a) and (b) shall not apply to obligations required to be incurred in terminating the program described in subsection (a).

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 5001. STUDY OF METHODS TO INCREASE FLEXIBILITY IN CONTRACTING FOR MEDICARE CLAIMS PROCESSING.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study of methods to increase flexibility in contracting for claims processing under the medicare program and to otherwise simplify the administration of program, and shall include in the study an analysis of the feasibility and desirability of carrying out the following changes to the program:

(1) Permitting entities other than insurance companies to serve as carriers under part B of the program.

(2) Eliminating the requirement that fiscal intermediaries under part A of the program be nominated by a group or association of providers of services under such part.

(3) Increasing the Secretary's flexibility in assigning particular functions to fiscal intermediaries and carriers.

(4) Expanding the circumstances and standards under which the Secretary may terminate a contract with a fiscal intermediary or a carrier.

(5) Permitting the Secretary to require that a fiscal intermediary or a carrier meet data matching requirements for purposes of identifying situations in which medicare is a secondary payer.

(6) Eliminating the requirements that the Secretary make an additional payment to fiscal intermediaries and carriers for administrative costs.

(7) Eliminating the requirement that the Secretary enter into an agreement with a separate carrier for purposes of administering part B with respect to individuals entitled to benefits as qualified railroad retirement beneficiaries.

(b) REPORT.—Not later than April 30, 1994, the Secretary shall submit a report to the Committees on Energy and Commerce and Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the study conducted under subsection (a), together with any recommendations of the Secretary for statutory revisions to increase flexibility and reduce costs in the administration of the medicare program.

SEC. 5002. WORKERS' COMPENSATION DATA EXCHANGE PILOT PROJECTS.

(a) IN GENERAL.—The Secretary is authorized to conduct pilot projects with not more than three States for the purpose of studying various means of obtaining on a timely and accurate basis such information relating to benefits paid on account of total or partial disability under the States' workers' compensation plan as the Secretary may require for the purpose of carrying out section 224 of the Social Security Act.

(b) REIMBURSEMENT OF STATE COSTS.—A State that participates in a project conducted pursuant to subsection (a) may be paid by the Secretary, from amounts available pursuant to subsection (e), the reasonable costs of such participation.

(c) EVALUATION.—The Secretary shall evaluate each project conducted pursuant to subsection (a) and shall apply the findings, as appropriate, to agreements negotiated pursuant to subsection (h)(2) of such section 224.

(d) DEADLINE FOR COMMENCEMENT OF PROJECTS.—No pilot project authorized by subsection (a) may be commenced after the expiration of the 5-year period beginning on the date of enactment of this section.

(e) FUNDING.—Expenditures for pilot projects conducted pursuant to subsection (a) may be made from the Federal Disability Insurance Trust Fund and the Old-Age and Survivors Insurance Trust Fund, as determined appropriate by the Secretary.

(f) EFFECTIVE DATE.—This section shall be effective upon enactment.

SEC. 5003. FEDERAL CLEARINGHOUSE ON DEATH INFORMATION.

(a) CLEARINGHOUSE DESIGNATION.—The heading for section 205(r) of the Social Security Act is amended to read as follows: “Clearinghouse on Death Information”.

(b) ACQUISITION OF DISCLOSABLE DEATH INFORMATION FROM STATES.—

(1) Section 205(r)(1)(A) of the Social Security Act is amended by striking “to furnish the Secretary periodically with” and inserting “to furnish periodically to the Secretary, for use in carrying out subparagraph (B) and paragraphs (3) and (4),”.

(2)(A) Notwithstanding clause (ii) of section 6103(d)(4)(B) of the Internal Revenue Code of 1986 (as added by section 1344(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66)), in order for a contract requiring a State to furnish the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it to meet the requirements of such section 6103(d)(4)(B), such contract shall authorize the Secretary to use such information and to redisclose such information to any Federal agency or any agency of a State or political subdivision in accordance with section 205(r) of the Social Security Act.

(B) The provisions of subparagraph (A) of this paragraph and, notwithstanding subparagraph (C) of section 6103(d)(4) of the Internal Revenue Code of 1986 (as added by section 1344(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66)), the provisions of subparagraphs (A) and (B) of such section 6103(d)(4) shall apply to all States, regardless of whether they were, on July 1, 1993, pursuant to a contract, furnishing the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it.

(C) Subparagraphs (A) and (B) of this paragraph shall take effect at the same time as the amendment made by section 1344(a) of the Omnibus Budget Reconciliation Act of 1993 takes effect.

(D) For the purpose of applying the special rule contained in section 1344(b)(2) of the Omnibus Budget Reconciliation Act of 1993, the reference in such section to section 6103(d)(4)(B) of the Internal Revenue Code of 1986 shall be deemed to include a reference to subparagraph (A) of this paragraph.

(c) PAYMENT TO STATES FOR DEATH INFORMATION.—Section 205(r)(2) of the Social Security Act is amended—

(1) by striking "the reasonable costs" and inserting "a reasonable amount"; and

(2) by striking "transcribing and transmitting" and inserting "furnishing".

(d) FEE FOR CLEARINGHOUSE INFORMATION.—(1) Section 205(r)(3) of the Social Security Act is amended by striking out "if" and all that follows, and inserting ", provided that such agency agrees to pay the fees set by the Secretary pursuant to paragraph (8).".

(2) Section 205(r)(4) of the Social Security Act is amended—

(A) by inserting "and political subdivisions" after "States" the first place such term appears;

(B) by striking "the States" and inserting "any State, political subdivision, or combination thereof"; and

(C) by striking "if" and all that follows and inserting "provided such States and political subdivisions agree to pay the fees set by the Secretary pursuant to paragraph (8).".

(3) Section 205(r) of the Social Security Act is amended by adding at the end a new paragraph as follows: "(8) The Secretary shall establish fees for the disclosure of information pursuant to this subsection. Such fees shall be in amounts sufficient to cover all costs (including indirect costs) associated with the Secretary's responsibilities under this subsection. Fees collected pursuant to this paragraph shall remain available, without fiscal year limitation, to the Secretary to cover the administrative costs of carrying out this subsection.".

(e) TECHNICAL ASSISTANCE.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (d)(3)) the following new paragraph:

"(9) The Secretary may provide to any Federal or State agency that provides Federally funded benefits, upon the request of such agency, technical assistance on the effective collection, dissemination, and use of death information available under this subsection for the purpose of ensuring that such benefits are not erroneously paid to deceased individuals.".

(f) TECHNICAL AMENDMENT.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (e)) the following new paragraph:

"(10) For purposes of this subsection, the term 'Federally funded benefit' means any payment funded in whole or in part by the Federal Government.".

(g) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall take effect upon their enactment.

SEC. 5004. CONTINUING DISABILITY REVIEWS.

Section 201(g)(1)(A) of the Social Security Act is amended by adding at the end of the paragraph the following sentence: "From funds provided pursuant to this subparagraph for the following fiscal years, not less than the following amounts shall be available only for conducting continuing disability reviews and related workloads: for fiscal year 1994, \$46 million; for fiscal year 1995, \$47,200,000; for fiscal year 1996, \$48,500,000; for fiscal year 1997, \$49,800,000; for fiscal year 1998, \$51,100,000; and for fiscal year 1999, \$52,500,000.".

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 6001. MULTIFAMILY PROPERTY DISPOSITION.

(a) FINDINGS.—The Congress finds that—

(1) the portfolio of multifamily housing project mortgages insured by the FHA is severely troubled and at risk of default, requiring the Secretary to increase loss reserves from \$5,500,000,000 in 1991 to \$11,900,000,000 in 1992 to cover estimated future losses;

(2) the inventory of multifamily housing projects owned by the Secretary has more

than tripled since 1989, and, by the end of 1993, may exceed 75,000 units;

(3) the cost to the Federal Government of owning and maintaining multifamily housing projects escalated to approximately \$250,000,000 in fiscal year 1992;

(4) the inventory of multifamily housing projects subject to mortgages held by the Secretary has increased dramatically, to more than 2,400 mortgages, and approximately half of these mortgages, with over 230,000 units, are delinquent;

(5) the inventory of insured and formerly insured multifamily housing projects is rapidly deteriorating, endangering tenants and neighborhoods;

(6) over 5 million families today have a critical need for housing that is affordable and habitable; and

(7) the current statutory framework governing the disposition of multifamily housing projects effectively impedes the Government's ability to dispose of properties, protect tenants, and ensure that projects are maintained over time.

(b) MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.—Section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z-11) is amended to read as follows:

"SEC. 203. MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.

"(a) GOALS.—The Secretary of Housing and Urban Development shall manage or dispose of multifamily housing projects that are owned by the Secretary or that are subject to a mortgage held by the Secretary in a manner that—

"(1) is consistent with the National Housing Act and this section;

"(2) will protect the financial interests of the Federal Government; and

"(3) will, in the least costly fashion among reasonable available alternatives, further the goals of—

"(A) preserving housing so that it can remain available to and affordable by low-income persons;

"(B) preserving and revitalizing residential neighborhoods;

"(C) maintaining existing housing stock in a decent, safe, and sanitary condition;

"(D) minimizing the involuntary displacement of tenants;

"(E) maintaining housing for the purpose of providing rental housing, cooperative housing, and homeownership opportunities for low-income persons; and

"(F) minimizing the need to demolish multifamily housing projects.

The Secretary, in determining the manner in which a project is to be managed or disposed of, may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

"(b) DEFINITIONS.—For purposes of this section:

"(1) MULTIFAMILY HOUSING PROJECT.—The term 'multifamily housing project' means any multifamily rental housing project which is, or prior to acquisition by the Secretary was, assisted or insured under the National Housing Act, or was subject to a loan under section 202 of the Housing Act of 1959.

"(2) SUBSIDIZED PROJECT.—The term 'subsidized project' means a multifamily housing project that, immediately prior to the assignment of the mortgage on such project to, or the acquisition of such mortgage by, the Secretary, was receiving any of the following types of assistance:

"(A) Below market interest rate mortgage insurance under the proviso of section 221(d)(5) of the National Housing Act.

"(B) Interest reduction payments made in connection with mortgages insured under section 236 of the National Housing Act.

"(C) Direct loans made under section 202 of the Housing Act of 1959.

"(D) Assistance in the form of—

"(i) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965,

"(ii) additional assistance payments under section 236(f)(2) of the National Housing Act,

"(iii) housing assistance payments made under section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975), or

"(iv) housing assistance payments made under section 8 of the United States Housing Act of 1937 (excluding payments made for tenant-based assistance under section 8),

if (except for purposes of section 183(c) of the Housing and Community Development Act of 1987) such assistance payments are made to more than 50 percent of the units in the project.

"(3) FORMERLY SUBSIDIZED PROJECT.—The term 'formerly subsidized project' means a multifamily housing project owned by the Secretary that was a subsidized project immediately prior to its acquisition by the Secretary.

"(4) UNSUBSIDIZED PROJECT.—The term 'unsubsidized project' means a multifamily housing project owned by the Secretary that is not a subsidized project or a formerly subsidized project.

"(5) AFFORDABLE.—A unit shall be considered affordable if—

"(A) for units occupied—

"(i) by very low-income families, the rent does not exceed 30 percent of 50 percent of the area median income, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish the rent based on an amount higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; and

"(ii) by low-income families other than very low-income families, the rent does not exceed 30 percent of 80 percent of the area median income, as determined by the Secretary, except that the Secretary may establish the rent based on an amount higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; or

"(B) the unit, or the family residing in the unit, is receiving assistance under section 8 of the United States Housing Act of 1937.

"(6) LOW-INCOME FAMILIES AND VERY LOW-INCOME FAMILIES.—The terms 'low-income families' and 'very low-income families' shall have the meanings given the terms in section 3(b) of the United States Housing Act of 1937.

"(7) PREEXISTING TENANT.—The term 'pre-existing tenant' means, with respect to a multifamily housing project, a family that—

"(A) resides in a unit in the project; and

"(B) immediately before foreclosure or acquisition of the project by the Secretary, was residing in a unit in the project.

"(8) MARKET AREA.—The term 'market area' means a market area determined by the Secretary for purposes of establishing fair market rentals under section 8(c) of the United States Housing Act of 1937.

"(9) SECRETARY.—The term 'Secretary' means the Secretary of Housing and Urban Development.

"(c) MANAGEMENT OR DISPOSITION OF PROPERTY.—

"(1) DISPOSITION TO PURCHASERS.—The Secretary may, in carrying out this section, dispose of a multifamily housing project owned by the Secretary on a negotiated, competitive bid, or other basis, on such terms as the

Secretary deems appropriate considering the low-income character of the project and the market area in which the project is located and the requirements of subsection (a), to a purchaser determined by the Secretary to be capable of—

“(A) satisfying the conditions of the disposition;

“(B) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and repair expenses to ensure that the project will remain in decent, safe, and sanitary condition;

“(C) responding to the needs of the tenants and working cooperatively with tenant organizations;

“(D) providing adequate organizational, staff, and financial resources to the project; and

“(E) meeting such other requirements as the Secretary may determine.

“(2) CONTRACTING FOR MANAGEMENT SERVICES.—The Secretary may, in carrying out this section—

“(A) contract for management services for a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), on a negotiated, competitive bid, or other basis at a price determined by the Secretary to be reasonable, with a manager the Secretary has determined is capable of—

“(i) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and maintenance expenses to ensure that the project will remain in decent, safe, and sanitary condition;

“(ii) responding to the needs of the tenants and working cooperatively with tenant organizations;

“(iii) providing adequate organizational, staff, and other resources to implement a management program determined by the Secretary; and

“(iv) meeting such other requirements as the Secretary may determine;

“(B) require the owner of a multifamily housing project that is subject to a mortgage held by the Secretary to contract for management services for the project in the manner described in subparagraph (A); and

“(C) contract for management of such properties with nonprofit organizations and public agencies, including public housing authorities.

“(d) MAINTENANCE OF HOUSING PROJECTS.—

“(1) HOUSING PROJECTS OWNED BY THE SECRETARY.—In the case of multifamily housing projects that are owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall—

“(A) to the greatest extent possible, maintain all such occupied projects in a decent, safe, and sanitary condition;

“(B) to the greatest extent possible, maintain full occupancy in all such projects; and

“(C) maintain all such projects for purposes of providing rental or cooperative housing.

“(2) HOUSING PROJECTS SUBJECT TO A MORTGAGE HELD BY SECRETARY.—In the case of any multifamily housing project that is subject to a mortgage held by the Secretary, the Secretary shall require the owner of the project to carry out the requirements of paragraph (1).

“(3) HOUSING STANDARDS.—In disposing of any multifamily housing project under this section, the Secretary shall enter into an agreement with the purchaser under which the purchaser agrees that the project will be rehabilitated so that it is in compliance with, and will be maintained in compliance with, any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of

the housing and any such standards established by the Secretary.

“(e) REQUIRED ASSISTANCE.—In disposing of any multifamily housing property under this section, the Secretary shall take, separately or in combination, one or more of the following actions:

“(1) CONTRACT WITH OWNER FOR PROJECT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into contracts under section 8 of the United States Housing Act of 1937 (to the extent budget authority is available) with owners of the projects, subject to the following requirements:

“(A) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING MORTGAGE-RELATED ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subparagraphs (A) through (C) of subsection (b)(2)—

“(i) the contract shall be sufficient to assist at least all units covered by an assistance contract under any of the authorities referred to in subsection (b)(2)(D) before acquisition, unless the Secretary acts pursuant to the provisions of subparagraph (C);

“(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8; and

“(iii) the Secretary shall take actions to ensure that any unit in any such project that does not otherwise receive project-based assistance under this subparagraph remains available and affordable for the remaining useful life of the project, as defined by the Secretary; to carry out this clause, the Secretary may require purchasers to establish use or rent restrictions maintaining the affordability of such units.

“(B) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING RENTAL ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subsection (b)(2)(D) that is not subject to subparagraph (A)—

“(i) the contract shall be sufficient to assist at least all units in the project that are covered, or were covered immediately before foreclosure on or acquisition of the project by the Secretary, by an assistance contract under any of the provisions referred to in such subsection, unless the Secretary acts pursuant to provisions of subparagraph (C); and

“(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8.

“(C) EXCEPTIONS.—In lieu of providing project-based assistance under subparagraph (A)(i) or (B)(i) for a project, the Secretary may require certain units in unsubsidized projects to contain use restrictions providing that such units will be available to and affordable by very low-income families for the remaining useful life of the project, as defined by the Secretary, if—

“(i) the Secretary provides an increase in project-based assistance for very low-income persons for units within unsubsidized projects located within the same market area as the project otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) that is at least equivalent to the units otherwise required to be so assisted; and

“(ii) upon disposition of the project, low-income families residing in units otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) receive tenant-based assistance under such section 8.

“(D) UNSUBSIDIZED PROJECTS.—Notwithstanding actions taken pursuant to subparagraph (C), in the case of unsubsidized projects, the contract shall be sufficient to provide—

“(i) project-based rental assistance for all units that are covered, or were covered immediately before foreclosure or acquisition, by an assistance contract under—

“(I) the new construction and substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

“(II) the property disposition program under section 8(b) of such Act;

“(III) the project-based certificate program under section 8 of such Act;

“(IV) the moderate rehabilitation program under section 8(e)(2) of such Act;

“(V) section 23 of such Act (as in effect before January 1, 1975);

“(VI) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965; or

“(VII) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965; and

“(ii) tenant-based assistance under section 8 of the United States Housing Act of 1937 for families that are preexisting tenants of the project in units that, immediately before foreclosure or acquisition of the project by the Secretary, were covered by an assistance contract under the loan management set-aside program under section 8(b) of the United States Housing Act of 1937 at such time.

“(2) ANNUAL CONTRIBUTION CONTRACTS FOR TENANT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into annual contribution contracts with public housing agencies to provide tenant-based assistance under section 8 of the United States Housing Act of 1937 on behalf of all low-income families who, on the date that the project is acquired by the purchaser, reside in the project and are eligible for such assistance, subject to the following requirements:

“(A) REQUIREMENT OF SUFFICIENT AFFORDABLE HOUSING IN AREA.—The Secretary may not take action under this paragraph unless the Secretary determines that there is available in the area an adequate supply of habitable, affordable housing for very low-income families and other low-income families.

“(B) LIMITATION FOR SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—The Secretary may not take actions under this paragraph in connection with units in subsidized or formerly subsidized projects for more than 10 percent of the aggregate number of units in such projects disposed of by the Secretary annually.

“(C) PROVISION OF PROJECT-BASED ASSISTANCE UNDER CHANGED CIRCUMSTANCES.—The Secretary shall, to the extent such amounts are available, provide project-based assistance under section 8 of the United States Housing Act of 1937 for any units in a project for which the Secretary has provided tenant-based assistance under this paragraph if, and only to the extent that, the owner demonstrates to the satisfaction of the Secretary within 24 months after the date of acquisition by the owner that—

“(i) the provision of such project-based assistance (I) is necessary to maintain the financial viability of the project because of changes occurring after such acquisition that are beyond the control of the owner,

and (II) may reasonably be expected to maintain such financial viability; or

"(ii) sufficient habitable, affordable housing for very low-income families and other low-income families is not available in the market area in which the project is located. Assistance provided pursuant to this subparagraph shall have a term of not more than 5 years.

"(3) OTHER ASSISTANCE.—

"(A) IN GENERAL.—In accordance with the authority provided under the National Housing Act, the Secretary may reduce the selling price, apply use or rent restrictions on certain units, or provide other financial assistance to the owners of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure, or after sale by the Secretary, on terms that ensure that—

"(i) at least the units in the project otherwise required to receive project-based assistance pursuant to subparagraphs (A), (B), or (D) of paragraph (1) are available to and affordable by low-income persons; and

"(ii) for the remaining useful life of the project, as defined by the Secretary, there shall be in force such use or rent restrictions as the Secretary may prescribe.

"(B) VERY LOW-INCOME TENANTS.—If, as a result of actions taken pursuant to this paragraph, the rents charged to any very low-income families residing in the project who are otherwise required (pursuant to subparagraph (A), (B), or (D) of paragraph (1)) to receive project-based assistance under section 8 of the United States Housing Act of 1937 exceed the amount payable as rent under section 3(a) of the United States Housing Act of 1937, the Secretary shall provide assistance under section 8 of such Act to such families.

"(4) TRANSFER FOR USE UNDER OTHER PROGRAMS OF SECRETARY.—

"(A) IN GENERAL.—The Secretary may transfer a multifamily housing project—

"(i) to a public housing agency for use of the project as public housing; or

"(ii) to an entity eligible to own or operate housing under assisted section 202 of the Housing Act of 1959 or under section 811 of the Cranston-Gonzalez National Affordable Housing Act for use as supportive housing under either of such sections.

"(B) REQUIREMENTS FOR AGREEMENT.—An agreement providing for the transfer of a project described in subparagraph (A) shall—

"(i) contain such terms, conditions, and limitations as the Secretary determines appropriate, including requirements to ensure use of the project as public housing, supportive housing under section 202 of the Housing Act of 1959, or supportive housing under section 811 of the Cranston-Gonzalez National Affordable Housing Act, as applicable; and

"(ii) ensure that no tenant of the project will be displaced as a result of actions taken under this paragraph.

"(f) DISCRETIONARY ASSISTANCE.—In addition to the actions taken under subsection (e) for a multifamily housing project, the Secretary may take any of the following actions:

"(1) SHORT-TERM LOANS.—The Secretary may provide a short-term loan to facilitate the sale of a multifamily housing project to a nonprofit organization or a public agency if—

"(A) authority for such loans is provided in advance in an appropriation Act;

"(B) such loan has a term of not more than 5 years;

"(C) the Secretary determines, based upon documentation provided to the Secretary, that the borrower has obtained a commitment of permanent financing to replace the short-term loan from a lender who meets standards established by the Secretary; and

"(D) the terms of such loan is consistent with prevailing practices in the marketplace or the provision of such loan results in no cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974.

"(2) TENANT-BASED ASSISTANCE.—The Secretary may make available tenant-based assistance under section 8 of the United States Housing Act of 1937 to very low-income families residing in a multifamily housing project that do not otherwise qualify for project-based assistance.

"(3) ALTERNATIVE USES.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, after providing notice to and an opportunity to comment by existing tenants, the Secretary may allow not more than—

"(i) 10 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be made available for uses other than rental or cooperative uses, including low-income homeownership opportunities, or in any particular project, community space, office space for tenant or housing-related service providers or security programs, or small business uses, if such uses benefit the tenants of the project; and

"(ii) 5 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be used in any manner, if the Secretary and the unit of general local government or area-wide governing body determine that such use will further fair housing, community development, or neighborhood revitalization goals.

"(B) DISPLACEMENT PROTECTION.—The Secretary may take actions under subparagraph (A) only if—

"(i) tenant-based rental assistance under section 8 of the United States Housing Act of 1937 is made available to each eligible family residing in the project that is displaced as a result of such actions; and

"(ii) the Secretary determines that sufficient habitable, affordable rental housing is available in the market area in which the project is located to allow use of such assistance.

"(g) REQUIRED ASSISTANCE FOR CERTAIN PROJECTS.—In disposing under this section of multifamily housing projects, the Secretary shall, to the extent that such assistance is available—

"(1) in the case of any project located in a market area in which habitable, affordable rental housing for very low-income families is not sufficiently available, provide tenant-based or project-based rental assistance under section 8 of the United States Housing Act of 1937 (depending on the circumstances of the family) to very low-income families who are preexisting tenants of the project and do not otherwise qualify for project-based assistance; and

"(2) provide project-based assistance for very low-income families who are preexisting tenants of the project to the extent that such assistance is necessary to maintain the financial viability of the project and is reasonably expected to maintain such financial viability.

"(h) RENT RESTRICTIONS.—

"(1) AUTHORITY FOR USE IN UNSUBSIDIZED PROJECTS.—In carrying out the goals specified in subsection (a), the Secretary may require certain units in unsubsidized projects to be subject to use or rent restrictions providing that such units will be available to and affordable by very low-income persons for the remaining useful life of the property, as defined by the Secretary.

"(2) REQUIREMENT REGARDING SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—In disposing under this section of any subsidized or formerly subsidized multifamily housing project, the Secretary shall require rent re-

strictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

"(A) 15 years after such disposition; or

"(B) the time at which the family first fails to qualify as a very low-income family.

"(3) REQUIREMENT REGARDING UNSUBSIDIZED PROJECTS.—Unless the Secretary determines that the applicability of rent restrictions under this paragraph to a project would unreasonably impede the disposition of the project, in disposing under this section of any unsubsidized multifamily housing project the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

"(A) 15 years after such disposition; or

"(B) the time at which the family first fails to qualify as a very low-income family.

"(4) PHASE-IN OF RENT INCREASES.—If the disposition under this section of any multifamily housing project results in any rent increases for any very low-income families who are preexisting tenants of the project and are paying less than 30 percent of the adjusted income of the family for rent, the Secretary shall provide that such rent increases shall be phased in equally over a period of not less than 3 years.

"(5) DEFINITION OF 'UNASSISTED VERY LOW-INCOME FAMILY'.—For purposes of this subsection, the term 'unassisted very low-income family' means a very low-income family who resides in a unit that is not assisted with project-based assistance under section 8 of the United States Housing Act of 1937 and on whose behalf tenant-based assistance under such section is not provided.

"(i) CONTRACT REQUIREMENTS.—Contracts for project-based rental assistance under section 8 of the United States Housing Act of 1937 provided pursuant to this section shall be subject to the following requirements:

"(1) CONTRACT TERM.—The contract shall have a term of 15 years, except that—

"(A) the term may be less than 15 years to the extent that the Secretary finds that, based on the rental charges and financing for the multifamily housing project to which the contract relates, the financial viability of the project can be maintained under a contract having such a term;

"(B) to the extent that units receive project-based assistance for a contract term of less than 15 years, the Secretary shall require that the amount of rent payable by tenants of the project for such units shall not exceed the amount payable for rent under section 3(a) of the United States Housing Act of 1937 for a period of at least 15 years; and

"(C) the term may be less than 15 years if such assistance is provided—

"(i) under a contract authorized under section 6 of the HUD Demonstration Act of 1993; and

"(ii) pursuant to a disposition plan under this section for a project that is determined by the Secretary to be otherwise in compliance with this section.

"(2) CONTRACT RENT.—

"(A) IN GENERAL.—The Secretary shall establish contract rents for section 8 project-based rental contracts issued under this section at levels that provide sufficient amounts for the necessary costs of rehabilitating and operating the multifamily housing project and do not exceed 144 percent of the existing housing fair market rentals for

the market area in which the project assisted under the contract is located.

“(B) UP-FRONT GRANTS AND LOANS.—If the Secretary determines that action under this subparagraph is more cost-effective, the Secretary may utilize the budget authority provided for contracts issued under this section for project-based assistance under section 8 of the United States Housing Act of 1937 to (in addition to providing project-based section 8 rental assistance)—

“(i) provide up-front grants to nonprofit organizations or public housing agencies for the necessary cost of rehabilitation; or

“(ii) pay any cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974, for loans made pursuant to subsection (f)(1).

“(j) DISPOSITION PLAN.—

“(1) IN GENERAL.—Prior to the sale of a multifamily housing project that is owned by the Secretary, the Secretary shall develop an initial disposition plan for the project that specifies the minimum terms and conditions of the Secretary for disposition of the project, the initial sales price that is acceptable to the Secretary, and the assistance that the Secretary plans to make available to a prospective purchaser in accordance with this section. The initial sales price shall be reasonably related to the intended use of the property after sale, any rehabilitation requirements for the project, the rents for units in the project that can be supported by the market, the amount of rental assistance available for the project under section 8 of the United States Housing Act of 1937, and the occupancy profile of the project.

“(2) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures—

“(A) to obtain appropriate and timely input into disposition plans from officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project; and

“(B) to facilitate, where feasible and appropriate, the sale of multifamily housing projects to existing tenant organizations with demonstrated capacity, to public or nonprofit entities that represent or are affiliated with existing tenant organizations, or to other public or nonprofit entities.

“(3) TECHNICAL ASSISTANCE.—To carry out the procedures developed under paragraph (2), the Secretary may provide technical assistance, directly or indirectly, and may use amounts available for technical assistance under the Emergency Low Income Housing Preservation Act of 1987, subtitle C of the Low-Income Housing Preservation and Resident Homeownership Act of 1990, subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act, or this section, for the provision of technical assistance under this paragraph. Recipients of technical assistance funding under the provisions referred to in this paragraph shall be permitted to provide technical assistance to the extent of such funding under any of such provisions or under this paragraph, notwithstanding the source of the funding.

“(k) RIGHT OF FIRST REFUSAL FOR LOCAL AND STATE GOVERNMENT AGENCIES.—

“(1) NOTIFICATION OF ACQUISITION OF TITLE.—Not later than 30 days after acquiring title to a multifamily housing project, the Secretary shall notify the unit of general local government (which, for purposes of this subsection, shall include any public housing agency) for the area in which the project is located and the State agency or agencies designated by the Governor of the State in which the project is located of such acquisition.

“(2) RIGHT OF FIRST REFUSAL.—During the period beginning upon acquisition of title to a multifamily housing project and ending 45

days after completion of notification under paragraph (1), the Secretary may offer to sell and may sell the project only to the unit of general local government or the designated State agency.

“(3) EXPRESSION OF INTEREST.—The unit of general local government or designated State agency may submit to the Secretary a preliminary expression of interest in a project not later than 45 days after receiving notification from the Secretary under paragraph (1) regarding the project. The Secretary may take such actions as may be necessary to require the unit of general local government or designated State agency to substantiate such interest.

“(4) TIMELY EXPRESSION OF INTEREST.—If the unit of general local government or designated State agency has submitted an expression of interest in a project before the expiration of the 45-day period referred to in paragraph (3) and has substantiated such interest if requested, the Secretary, upon approval of a disposition plan for the project, shall—

“(A) notify the unit of general local government and designated State agency of the terms and conditions of the disposition plan; and

“(B) provide that, for 90 days after the date of such notification, only the unit of general local government or designated State agency may make an offer to purchase the project.

“(5) FAILURE TO TIMELY EXPRESS INTEREST.—If the unit of general local government or designated State agency does not timely express and, if requested, substantiate interest in a project as provided in paragraph (4), the Secretary may offer the project for sale to any interested person or entity upon approval of the disposition plan for the project.

“(6) ACCEPTANCE OF OFFERS.—If the unit of general local government or designated State agency timely expresses and, if requested, substantiates interest in a project as provided in paragraph (4), the Secretary shall accept an offer made by the unit of general local government or designated State agency during the 90-day period for the project under paragraph (4)(B) that complies with the terms and conditions of the disposition plan for the project. The Secretary may accept an offer that does not comply with the terms and conditions of the disposition plan if the Secretary determines that the offer will further the goals specified in subsection (a) by actions that include extension of the duration of low-income affordability restrictions or otherwise restructuring the transaction in a manner that enhances the long-term affordability for low-income persons. The Secretary may reduce the initial sales price in exchange for the extension of low-income affordability restrictions beyond the period of assistance contemplated by the attachment of assistance pursuant to subsection (i)(1) and in order to facilitate affordable rents.

“(7) FAILURE TO SELL TO LOCAL OR STATE GOVERNMENT AGENCY.—If the Secretary and the unit of general local government or designated State agency cannot reach agreement on an offer for purchase of a project within the 90-day period for the project under paragraph (4)(B), the Secretary may offer the project for sale to the general public.

“(8) PURCHASE BY UNIT OF GENERAL LOCAL GOVERNMENT OR DESIGNATED STATE AGENCY.—Notwithstanding any other provision of law, a unit of general local government (including a public housing agency) or designated State agency may purchase a subsidized or formerly subsidized project in accordance with this subsection.

“(9) APPLICABILITY.—This subsection shall apply to projects that are acquired on or after the effective date of this subsection.

With respect to projects acquired before such effective date, the Secretary may apply—

“(A) the requirements of paragraphs (2) and (3) of section 203(e) (as in effect immediately before the effective date of this subsection); or

“(B) the requirements of paragraphs (1) through (7) of this subsection, if—

“(i) the Secretary gives the unit of general local government or designated State agency 45 days to express interest in the project; and

“(ii) the unit of general local government or designated State agency expresses interest in the project before the expiration of the 45-day period, and substantiates such interest if requested, within 90 days from the date of notification of the terms and conditions of the disposition plan to make an offer to purchase the project.

“(10) TRANSFER BY LOCAL OR STATE GOVERNMENT AGENCY PURCHASERS.—The Secretary shall permit units of general local government and designated State agencies to transfer multifamily housing projects acquired under the right of first refusal under this subsection to a private entity, but only if the local government or State agency clearly identifies its intention to transfer the project in the offer to purchase the property accepted by the Secretary under this subsection.

“(l) DISPLACEMENT OF TENANTS AND RELOCATION ASSISTANCE.—

“(1) IN GENERAL.—Whenever tenants will be displaced as a result of the disposition of, or repairs to, a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall identify tenants who will be displaced and shall notify all such tenants of their pending displacement and of any relocation assistance that may be available. In the case of the disposition of tenants of a multifamily housing project that is not owned by the Secretary (and for which the Secretary is not mortgagee in possession), the Secretary shall require the owner of the project to carry out the requirements of this paragraph.

“(2) RIGHTS OF DISPLACED TENANTS.—The Secretary shall ensure for any such tenant (who continues to meet applicable qualification standards) the right—

“(A) to return, whenever possible, to a repaired unit;

“(B) to occupy a unit in another multifamily housing project owned by the Secretary;

“(C) to obtain housing assistance under the United States Housing Act of 1937; or

“(D) to receive any other available relocation assistance as the Secretary determines to be appropriate.

“(m) MORTGAGE AND PROJECT SALES.—

“(1) IN GENERAL.—The Secretary may not approve the sale of any loan or mortgage held by the Secretary (including any loan or mortgage owned by the Government National Mortgage Association) on any subsidized project or formerly subsidized project, unless such sale is made as part of a transaction that will ensure that such project will continue to operate at least until the maturity date of such loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the assignment of the loan or mortgage on such project to the Secretary.

“(2) SALE OF CERTAIN PROJECTS.—The Secretary may not approve the sale of any subsidized project—

“(A) that is subject to a mortgage held by the Secretary, or

“(B) if the sale transaction involves the provision of any additional subsidy funds by the Secretary or a recasting of the mortgage,

unless such sale is made as part of a transaction that will ensure that the project will continue to operate, at least until the maturity date of the loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the proposed sale of the project.

"(3) MORTGAGE SALES TO STATE AND LOCAL GOVERNMENTS.—Notwithstanding any provision of law that requires competitive sales or bidding, the Secretary may carry out negotiated sales of subsidized or formerly subsidized mortgages held by the Secretary, without the competitive selection of purchasers or intermediaries, to units of general local government or State agencies, or groups of investors that include at least one such unit of general local government or State agency, if the negotiations are conducted with such agencies, except that—

"(A) the terms of any such sale shall include the agreement of the purchasing agency or unit of local government or State agency to act as mortgagee or owner of a beneficial interest in such mortgages, in a manner consistent with maintaining the projects that are subject to such mortgages for occupancy by the general tenant group intended to be served by the applicable mortgage insurance program, including, to the extent the Secretary determines appropriate, authorizing such unit of local government or State agency to enforce the provisions of any regulatory agreement or other program requirements applicable to the related projects; and

"(B) the sales prices for such mortgages shall be, in the determination of the Secretary, the best prices that may be obtained for such mortgages from a unit of general local government or State agency, consistent with the expectation and intention that the projects financed will be retained for use under the applicable mortgage insurance program for the life of the initial mortgage insurance contract.

"(4) SALE OF MORTGAGES COVERING UNSUBSIDIZED PROJECTS.—Notwithstanding any other provision of law, the Secretary may sell mortgages held on unsubsidized projects on such terms and conditions as the Secretary may prescribe.

"(n) REPORT TO CONGRESS.—Not later than June 1 of each year, the Secretary shall submit to the Congress a report describing the status of multifamily housing projects owned by or subject to mortgages held by the Secretary. The report shall include—

"(1) the name, address, and size of each project;

"(2) the nature and date of assignment of each project;

"(3) the status of the mortgage for each project;

"(4) the physical condition of each project;

"(5) for each subsidized or formerly subsidized project, an occupancy profile of the project, stating the income, family size, race, and ethnic origin of current residents and the rents paid by such residents;

"(6) the proportion of units in each project that are vacant;

"(7) the date on which the Secretary became mortgagee in possession of each project, if applicable;

"(8) the date and conditions of any foreclosure sale for a project;

"(9) the date of acquisition of each project by the Secretary, if applicable;

"(10) the date and conditions of any property disposition sale for a project;

"(11) a description of actions undertaken pursuant to this section, including a description of the effectiveness of such actions and any impediments to the disposition or management of multifamily housing projects;

"(12) a description of any of the functions performed in connection with this section that are contracted out to public or private entities or to States; and

"(13) a description of the activities carried out under subsection (k) during the preceding year."

(c) CLARIFICATION OF FEDERAL PREFERENCES.—

(1) PUBLIC HOUSING TENANCY.—Section 6(c)(4)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437d(c)(4)(A)(i)) is amended by inserting after "displaced" the following: "(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)".

(2) SECTION 8 ASSISTANCE.—Section 8(d)(1)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)(i)) is amended by inserting after "displaced" the following: "(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)".

(d) DEFINITION OF OWNER.—Section 8(f)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(f)(1)) is amended by inserting "an agency of the Federal Government," after "cooperative."

(e) AMENDMENT TO NATIONAL HOUSING ACT.—Title V of the National Housing Act (12 U.S.C. 1731a et seq.) is amended by adding at the end the following new section:

"PARTIAL PAYMENT OF CLAIMS ON
MULTIFAMILY HOUSING PROJECTS

"SEC. 541. (a) AUTHORITY.—Notwithstanding any other provision of law, if the Secretary is requested to accept assignment of a mortgage insured by the Secretary that covers a multifamily housing project (as such term is defined in section 203(b) of the Housing and Community Development Amendments of 1978) and the Secretary determines that partial payment would be less costly to the Federal Government than other reasonable alternatives for maintaining the low-income character of the project, the Secretary may request the mortgagee, in lieu of assignment, to—

"(1) accept partial payment of the claim under the mortgage insurance contract; and

"(2) recast the mortgage, under such terms and conditions as the Secretary may determine.

"(b) REPAYMENT.—As a condition to a partial claim payment under this section, the mortgagor shall agree to repay to the Secretary the amount of such payment and such obligation shall be secured by a second mortgage on the property on such terms and conditions as the Secretary may determine."

(f) EFFECTIVE DATE.—The Secretary shall issue interim regulations necessary to implement the amendments made by subsections (b) through (d) not later than 90 days after the date of the enactment of this Act. Such interim regulations shall take effect upon issuance and invite public comment on the interim regulations. The Secretary shall issue final regulations to implement such amendments after opportunity for such public comment, but not later than 12 months after the date of issuance of such interim regulations.

SEC. 6002. SECTION 235 MORTGAGE REFINANCING.

Section 235(r) of the National Housing Act is amended—

(1) in paragraph (2)(C), by inserting after "refinanced" the following: ", plus the costs incurred in connection with the refinancing as described in paragraph (4)(B) to the extent that the amount for those costs is not otherwise included in the interest rate as permitted by subparagraph (E) or paid by the Secretary as authorized by paragraph (4)(B)";

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting after "otherwise" the following: "and the mortgagee (with respect to the amount described in subparagraph (A))"; and

(B) in subparagraph (A), by inserting after "mortgagor" the following: "and the mortgagee"; and

(3) by amending paragraph (5) to read as follows:

"(5) The Secretary shall use amounts of budget authority recaptured from assistance payments contracts relating to mortgages that are being refinanced for assistance payments contracts with respect to mortgages insured under this subsection. The Secretary may also make such recaptured amounts available for incentives under paragraph (4)(A) and the costs incurred in connection with the refinancing under paragraph (4)(B). For purposes of subsection (c)(3)(A), the amount of recaptured budget authority that the Secretary commits for assistance payments contracts relating to mortgages insured under this subsection and for amounts paid under paragraph (4) shall not be construed as unused."

SEC. 6003. USE OF EMERGENCY ASSISTANCE FUNDS FOR RESIDENCY IN MULTIFAMILY HOUSING DISPOSITION PROJECTS.

Section 203(f) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z-11), as amended by section 6001 of this Act, is further amended by adding at the end the following new paragraph:

"(4) EMERGENCY ASSISTANCE FUNDS.—The Secretary may make arrangements with State agencies and units of general local government of States receiving emergency assistance under part A of title IV of the Social Security Act for the provision of assistance under such Act on behalf of eligible families who would reside in any multifamily housing projects."

SEC. 6004. ADDITIONAL EMPLOYEES TO FACILITATE DISPOSITION OF FHA INVENTORY PROPERTIES.

Notwithstanding any other provision of law, during fiscal years 1993, 1994, and 1995 amounts in the various funds of the Federal Housing Administration otherwise available to the Secretary of Housing and Urban Development for non-overhead expenses associated with processing, accounting, loan servicing, asset management, and disposition services may be used by the Secretary for personnel compensation and benefits for temporary employees of the Department of Housing and Urban Development employed to manage, service, and dispose of single family and multifamily properties insured by, assigned to, or owned by the Secretary. The Secretary may employ not more than 400 temporary employees at any one time using amounts made available pursuant to this section, no such employee may be employed in a temporary position pursuant to this section for a period in excess of 2 years, and such employees shall not be considered for purposes of any personnel ceiling applicable to the Department of Housing and Urban Development or any unit therein or any personnel ceiling applicable to temporary employees of the Federal Government.

SEC. 6005. HUD STREAMLINING.

The Secretary of Housing and Urban Development shall carry out the recommendation of the Report of the National Performance Review, issued on September 7, 1993, that the Department streamline its headquarters, regional, and field office structure and consolidate and reduce its size, without regard to the requirements of section 7(p) of the Department of Housing and Urban Development Act.

TITLE VII—DEPARTMENT OF THE INTERIOR

SEC. 7001. IMPROVEMENT OF MINERALS MANAGEMENT SERVICE ROYALTY COLLECTION.

(a) The Secretary of the Interior shall, by fiscal year 1995, direct the Minerals Management Service, Royalty Management Program, to develop and implement (1) an automated business information system to provide to its auditors a lease history that includes reference, royalty, production, financial, compliance history, pricing and valuation, and other information; (2) the optimum methods to identify and resolve anomalies and to verify that royalties are paid correctly; (3) a more efficient and cost-effective royalty collection process by instituting new compliance and enforcement measures, including assessments and penalties for erroneous reporting and underreporting; (4) pilot projects under which a State may assume mineral receipt collections on Federal lands within the State and where the State assumes 50 percent of the cost of such pilot project; and (5) such other actions as may be necessary to reduce royalty underpayment and increase revenue to the U.S. Treasury by an estimated total of \$28 million by fiscal year 1999.

(b) The Federal Oil and Gas Royalty Management Act of 1982 (Public Law No. 97-451), 30 U.S.C. 1701 et seq.) is amended by adding a new subsection 111(h) as follows:

"PENALTY ASSESSMENT FOR SUBSTANTIAL UNDERREPORTING OF ROYALTY"

"SEC. 111. (h)(1) If there is any under reporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 10 percent of the amount of that underreporting.

"(2) If there is a substantial under reporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 20 percent of the amount of that substantial underreporting.

"(3) For purposes of this section, the term 'underreporting' means the difference between the royalty on the value of the production which should have been reported and the royalty on the value of the production which was reported, if the value of the production which should have been reported is greater than the value of the production which was reported. An underreporting constitutes a 'substantial underreporting' if such difference exceeds 10 percent of the royalty on the value of the production which should have been reported.

"(4) The Secretary shall not impose the assessment provided in paragraphs (1) or (2) if the person corrects the underreporting before the date the person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of enactment of this section, whichever is later.

"(5) The Secretary shall waive any portion of an assessment provided in paragraphs (1) or (2) attributable to that portion of the underreporting for which the person demonstrates that—

"(i) the person had written authorization from the Secretary to report royalty on the value of the production on the basis on which it was reported, or

"(ii) the person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported, or

"(iii) the person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting, or

"(iv) the person meets any other exception which the Secretary may, by rule, establish.

"(6) All penalties collected under this subsection shall be deposited to the same accounts in the Treasury or paid to the same recipients in the same manner as the royalty with respect to which such penalty is paid."

SEC. 7002. PHASE OUT OF MINERAL INSTITUTE PROGRAM.

The Secretary of the Interior, beginning in fiscal year 1995, shall take action to phase out the Mining and Mineral Resources Research Institute Act of 1984, Public Law 98-409, as amended (98 Stat. 1536 through 1541 and 102 Stat. 2339 through 2341, 30 U.S.C. 1221 through 1230). There are hereby authorized to be appropriated under the Act the following amounts: fiscal year 1995—\$6.5 million; fiscal year 1996—\$5 million; fiscal year 1997—\$3 million; and fiscal year 1998—\$1.5 million. No further appropriations for this Act are authorized after September 30, 1998.

SEC. 7003. REORGANIZATION STUDY OF BUREAU OF INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—The Secretary of the Interior, with the active participation of Indian tribes, shall conduct a study of the reorganization of the Bureau of Indian Affairs.

(b) CONTENT.—The study conducted under subsection (a) shall include (but shall not be limited to)—

(1) an examination of the current structure of the Bureau of Indian Affairs and recommendations for structural changes to improve the implementation of Federal trust responsibilities toward Indian tribes;

(2) an examination of the current roles of the Central, Area, and Agency offices of the Bureau of Indian Affairs and recommendations to improve efficiency of the Bureau through reorganization;

(3) an examination of the efficiency of the Bureau of Indian Affairs in comparison with other Bureaus of the Department of the Interior;

(4) an examination of the barriers to the implementation of the 1988 amendments to the Indian Self-Determination and Education Assistance Act throughout the Department of the Interior and a proposed plan for effective implementation; and

(5) recommendations for the transfer of personnel and resources from the Central, Area, and Agency offices of the Bureau of Indian Affairs to Indian tribes.

(c) REPORT.—The Secretary shall complete the study conducted pursuant to this section and shall submit such study, together with recommendations and draft legislation to implement such recommendations, to the Congress within one year after the date of enactment of this Act.

SEC. 7004. TERMINATION OF ANNUAL DIRECT GRANT ASSISTANCE

(a) TERMINATION.—Pursuant to section 704(d) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1681 note), the annual payments under section 702 of the Covenant shall terminate as of September 30, 1993.

(b) REPEAL.—Sections 3 and 4 of the Act of March 24, 1976 (Public Law 94-241; 48 U.S.C. 1681 note), as amended, are repealed, effective October 1, 1993.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. LIMITATION ON CERTAIN ANNUAL PAY ADJUSTMENTS.

Effective as of December 31, 1994—

(1) section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)) is amended—

(A) by striking "(2) Effective" and inserting "(2)(A) Subject to subparagraph (B), effective"; and

(B) by adding at the end the following: "(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule.";

(2) section 104 of title 3, United States Code, is amended—

(A) in the first sentence by inserting "(a)" before "The";

(B) in the second sentence by striking "Effective" and inserting "Subject to subsection (b), effective"; and

(C) by adding at the end the following:

"(b) In no event shall the percentage adjustment taking effect under the second and third sentences of subsection (a) in any calendar year (before rounding) exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.";

(3) section 5318 of title 5, United States Code, is amended—

(A) in the first sentence by striking "Effective" and inserting "(a) Subject to subsection (b), effective"; and

(B) by adding at the end the following:

"(b) In no event shall the percentage adjustment taking effect under subsection (a) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 in the rates of pay under the General Schedule.";

(4) section 461(a) of title 28, United States Code, is amended—

(A) by striking "(a) Effective" and inserting "(a)(1) Subject to paragraph (2), effective"; and

(B) by adding at the end the following:

"(2) In no event shall the percentage adjustment taking effect under paragraph (1) in any calendar year (before rounding), in any salary rate, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.".

SEC. 8002. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term "agency" means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,053,600 during fiscal year 1994;
(2) 1,999,600 during fiscal year 1995;
(3) 1,945,600 during fiscal year 1996;
(4) 1,895,600 during fiscal year 1997; and
(5) 1,851,600 during fiscal year 1998.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination

that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

TITLE IX—DEPARTMENT OF LABOR

SEC. 9001. DETERRENCE OF FRAUD AND ABUSE IN FECA PROGRAM.

(a) Section 8102 of title 5, United States Code, is amended to redesignate subsection (b) as subsection (c), and to add the following new subsection (b):

“(b) An individual convicted of a violation of 18 U.S.C. 1920, as amended, or of any other fraud related to the application for or receipt of benefits under subchapter I or III of chapter 81 of title 5, shall forfeit, as of the date of the conviction, all entitlement to any prospective benefits provided by subchapter I or III for any injury occurring on or before the date of the conviction. Such a forfeiture of benefits shall be in addition to any action the Secretary may take under section 8106 or 8129 of title 5, United States Code.”

(b) Section 8116 of title 5, United States Code, is amended by adding the following new subsection (e):

“(e) Notwithstanding any other provision of this title, no benefits under sections 8105 or 8106 of this subchapter shall be paid or provided to any individual during any period during which such individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to that individual's conviction of an offense that constituted a felony under applicable law, except where such individual has one or more dependents within the meaning of section 8110 of this subchapter, in which case the Secretary may, during the period of incarceration, pay to such dependents a percentage of the benefits that would have been payable to such individual computed according to the percentages set forth in section 8133(a) (1)–(5) of this subchapter.”

(c) Section 8116 of title 5, United States Code, is further amended by adding the following new subsection (f):

“(f) Notwithstanding the provisions of section 552a of this title, or any other provision of Federal or State law, any agency of the United States Government or of any State (or political subdivision thereof) shall make available to the Secretary, upon written request, the names and Social Security account numbers of individuals who are confined in a jail, prison or other penal institu-

tion or correctional facility under the jurisdiction of such agency, pursuant to such individuals' conviction of an offense that constituted a felony under applicable law, which the Secretary may require to carry out the provisions of this subsection.”

(d) Section 1920 of title 18, United States Code, is amended to read as follows: “Whoever knowingly and willfully falsifies, conceals, or covers up a material fact, or makes a false, fictitious, or fraudulent statement or representation, or makes or uses a false statement or report knowing the same to contain any false, fictitious or fraudulent statement or entry in connection with the application for or receipt of compensation or other benefit or payment under subchapter I or III of chapter 81 of title 5, United States Code, shall be punished by a fine of not more than \$250,000, or by imprisonment for not more than five years, or both.”

(e) Except as otherwise provided in this section, the amendments made by this section shall be effective on the date of enactment and shall apply to actions taken on or after the date of enactment both with respect to claims filed before the day of enactment and with respect to claims filed after such date.

(f) The amendments made by subsections (a), (b), and (c) of this section shall be effective on the date of enactment and shall apply to any person convicted or imprisoned on or after the date of enactment.

(g) The amendment made by subsection (d) of this section shall be effective on the date of enactment and shall apply to any claim, statement, representation, report, or other written document made or submitted in connection with a claim filed under subchapter I or III of chapter 81 of title 5, United States Code.

SEC. 9002. ENHANCEMENT OF REEMPLOYMENT PROGRAMS FOR FEDERAL EMPLOYEES DISABLED IN THE PERFORMANCE OF DUTY.

(a) Section 8104 of title 5, United States Code, is amended—

(1) by striking the comma after “employment” and by striking “other than employment undertaken pursuant to such rehabilitation” from subsection (b); and

(2) by adding the following new subsection (c):

“(c) The Secretary of Labor, as part of the vocational rehabilitation effort, may assist permanently disabled individuals in seeking and/or obtaining employment. The Secretary may reimburse an employer (including a Federal employer), who was not the employer at the time of injury and who agrees to employ a disabled beneficiary, for portions of the salary paid by such employer to the reemployed, disabled beneficiary. Any such sums shall be paid from the Employees' Compensation Fund.”

(b) The Secretary of Labor is authorized to expand the Federal Employees' Compensation Act Periodic Roll Management Project to all offices of the Office of Workers' Compensation Program of the Department of Labor.

(c) The provisions of, and amendments made by, subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9003. WAGE DETERMINATIONS.

(a) The McNamara-O'Hara Service Contract Act, as amended (41 U.S.C. 351 et seq.) is amended by adding at the end the following new section:

“SEC. 11. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.”

(b) The Davis-Bacon Act, as amended (41 U.S.C. 276a et seq.) is amended by adding at the end the following new section:

“SEC. 8. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.”

(c) The amendments made by subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9004. ELIMINATION OF FILING REQUIREMENTS.

(a) Section 101(b) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C. 1021(b)) is amended by striking paragraphs (1), (2) and (3) and by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively.

(b) Section 102 of ERISA (29 U.S.C. 1022) is amended by striking paragraph (a)(2) and redesignating paragraph (a)(1) as subsection (a).

(c) Section 104(a)(1) of ERISA (29 U.S.C. 1024(a)(1)) is amended to read as follows:

“SEC. 104. (a)(1) The administrator of any employee benefit plan subject to this part shall file with the Secretary the annual report for a plan year within 210 days after the close of such year (or within such time as may be required by regulations promulgated by the Secretary in order to reduce duplicative filing). The Secretary shall make copies of such annual reports available for inspection in the public document room of the Department of Labor. The administrator shall also furnish to the Secretary, upon request, any documents relating to the employee benefit plan including but not limited to the summary plan description, description of material modifications to the plan, bargaining agreement, trust agreement, contract, or other instrument under which the plan is established or operated.”

(d) Section 104(b) of ERISA (29 U.S.C. 1024(b)) is amended by adding at the end the following new paragraph:

“(5) The Secretary shall, upon written request of any participant or beneficiary of a plan for a copy of any documents described in paragraph (4), make a written request to the plan administrator for copies of such documents. The plan administrator shall comply with such request from the Secretary. Upon obtaining such copies from the plan administrator, the Secretary shall provide them to the requesting participant or beneficiary. In making a request under this paragraph to the plan administrator, the Secretary shall not disclose to the plan administrator the identity of the participant or beneficiary. The administrator may make a reasonable charge to cover the cost of furnishing such complete copies consistent with any regulations issued by the Secretary pursuant to paragraph (4). The Secretary may require the participant or beneficiary to reimburse the Secretary for such charges before the participant receives the requested copies.”

(e) Section 106(a) of ERISA (29 U.S.C. 1026(a)) is amended by striking “descriptions.”

(f) Section 107 of ERISA (29 U.S.C. 1027) is amended by striking “description or”.

(g) Section 108 of ERISA (29 U.S.C. 1028) is amended by striking “(B) after publishing or filing the plan description, annual reports,” and inserting “(B) after publishing the plan description, or after publishing or filing the annual reports.”

(h) Section 109(b) of ERISA (29 U.S.C. 1029(b)) is amended to read as follows:

“(b) The financial statement and opinion required to be prepared by an independent qualified public accountant pursuant to section 103(a)(3)(A) and the actuarial statement required to be prepared by an enrolled actuary pursuant to section 103(a)(4)(A) shall not be required to be submitted on forms.”

(i) Section 502(c) of ERISA is amended by adding at the end the following new paragraph:

"(4) The Secretary may assess a civil penalty against any plan administrator of up to \$100 per day from the date of such plan administrator's failure or refusal to comply with a request for documents which such administrator is required to furnish to the Secretary (unless such failure or refusal results from matters reasonably beyond the control of the administrator) pursuant to section 104(b)(5) by mailing the material requested to the address provided by the Secretary within 30 days after such request."

(j) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of enactment of this Act.

TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY
SEC. 10001. IMPROVEMENT OF EFFICIENCY OF STATE DEPARTMENT ACTIVITIES.

The Secretary of State shall take action to improve the efficiency of the activities of the Department of State and save a total of \$5,700,000 by the end of fiscal year 1999.

SEC. 10002. IMPROVEMENT OF EFFICIENCY OF USIA PUBLIC DIPLOMACY ACTIVITIES.

The Director of the United States Information Agency (USIA) shall take action to improve the efficiency of USIA's public diplomacy activities and save a total of \$15,000,000 by the end of fiscal year 1999.

TITLE XI—DEPARTMENT OF TRANSPORTATION

SEC. 11001. REEMPLOYMENT RIGHTS FOR CERTAIN MERCHANT SEAMEN.

(a) IN GENERAL.—Title III of the Merchant Marine Act, 1936 (46 App. U.S.C. 1131) is amended by inserting after section 301 the following new section:

"SEC. 302. (a) An individual who is certified by the Secretary of Transportation under subsection (c) shall be entitled to reemployment rights and other benefits substantially equivalent to the rights and benefits provided for by chapter 43 of title 38, United States Code, for any member of a Reserve component of the Armed Forces of the United States who is ordered to active duty.

"(b) An individual may submit an application for certification under subsection (c) to the Secretary of Transportation not later than 45 days after the date the individual completes a period of employment described in subsection (c)(1)(A) with respect to which the application is submitted.

"(c) Not later than 20 days after the date the Secretary of Transportation receives from an individual an application for certification under this subsection, the Secretary shall—

"(1) determine whether or not the individual—

"(A) was employed in the activation or operation of a vessel—

"(i) in the National Defense Reserve Fleet maintained under section 11 of the Merchant Ship Sales Act of 1946, in a period in which that vessel was in use or being activated for use under subsection (b) of that section;

"(ii) that is requisitioned or purchased under section 902 of this Act; or

"(iii) that is owned, chartered, or controlled by the United States and used by the United States for a war, armed conflict, national emergency, or maritime mobilization need (including for training purposes or testing for readiness and suitability for mission performance); and

"(B) during the period of that employment, possessed a valid license, certificate of registry, or merchant mariner's document issued under chapter 71 or chapter 73 (as applicable) of title 46, United States Code; and

"(2) if the Secretary makes affirmative determinations under paragraph (1) (A) and (B), certify that individual under this subsection.

"(d) For purposes of reemployment rights and benefits provided by this section, a certification under subsection (c) shall be considered to be the equivalent of a certificate referred to in clause (1) of section 4301(a) of title 38, United States Code."

(b) APPLICATION.—The amendment made by subsection (a) shall apply to employment described in section 302(c)(1)(A) of the Merchant Marine Act, 1936, as amended by subsection (a), occurring after August 2, 1990.

(c) EMPLOYMENT ENDING BEFORE ENACTMENT.—Notwithstanding subsection (b) of section 302 of the Merchant Marine Act, 1936, as amended by this Act, an individual who, in the period beginning August 2, 1990, and ending on the date of the enactment of this Act, completed a period of employment described in subsection (c)(1)(A) of that section may submit an application for certification under subsection (c) of that section with respect to that employment not later than 45 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall issue regulations implementing this section.

SEC. 11002. REFORM OF ESSENTIAL AIR SERVICE PROGRAM.

Section 419 of the Federal Aviation Act of 1958 (49 App. U.S.C. 1389) is amended—

(1) in subsection (a) by striking paragraph (2) and inserting the following:

"(2) RESTRICTIONS ON QUALIFICATIONS AS AN ELIGIBLE POINT.—To qualify as an eligible point in the 48 contiguous states, Hawaii, and Puerto Rico for purposes of fiscal year 1995 and thereafter, a point described in paragraph (1) must not require a rate of subsidy per passenger in excess of \$200 unless such point is more than 210 miles from the nearest large or medium hub airport and may not be located fewer than 70 highway miles from the nearest large or medium hub airport;" and

(2) in subsection (1) by striking paragraph (2) and inserting the following:

"(2) AMOUNTS AVAILABLE.—There shall be available to the Secretary from the Airport and Airway Trust Fund to incur obligations under this section \$33,423,077 per fiscal year for each of fiscal years 1994 through 1999. Such amounts shall remain available until expended. Unobligated balances that remain available as of September 30, 1994, are rescinded."

SEC. 11003. AIRWAY SCIENCE PROGRAM.

(a) REPEAL.—All authority for—

(1) the Secretary of Transportation to enter into grant agreements with universities or colleges having an airway science curriculum recognized by the Federal Aviation Administration, to conduct demonstration projects in the development, advancement, or expansion of airway science programs; and

(2) the Federal Aviation Administration to enter into competitive grant agreements with institutions of higher education having airway science curricula, and all authorizations to appropriate for such purposes, as enacted under the head, "Federal Aviation Administration, Facilities and Equipment", in the Department of Transportation and Related Agencies Appropriations Acts for fiscal years ending before October 1, 1993; is repealed.

(b) LIMITATION.—Subsection (a) shall not affect the authority of the Secretary to enter into grant agreements with universities, colleges, or institutions of higher education to obligate funds appropriated for fiscal years ending before October 1, 1993, which have not been rescinded.

SEC. 11004. COLLEGIATE TRAINING INITIATIVE.

(a) IN GENERAL.—Section 313(d) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(d)) is amended—

(1) by striking the subsection heading and all that follows through "The Administrator" and inserting the following:

"(d) TRAINING SCHOOLS.—

"(1) IN GENERAL.—The Administrator";

(2) by moving the text of paragraph (1), as so designated, 2 ems to the right; and

(3) by adding at the end the following:

"(2) COLLEGIATE TRAINING INITIATIVE.—

"(A) CONTINUATION.—The Administrator of the Federal Aviation Administration may continue the Collegiate Training Initiative program, by entering into new agreements, with post-secondary institutions, as defined by the Administrator, whereby such institutions, without cost to the Federal Aviation Administration, prepare students for the position of air traffic controller with the Department of Transportation, as defined in section 2109 of title 5, United States Code.

"(B) STANDARDS.—The Administrator may establish standards for the entry of institutions into such program and for their continued participation in it.

"(C) APPOINTMENT IN EXCEPTED SERVICE.—The Administrator may appoint persons who have successfully completed a course of training in such program to the position of air traffic controller noncompetitively in the excepted service, as defined in section 2103 of title 5, United States Code. Persons so appointed shall serve at the pleasure of the Administrator, subject to section 7511 of such title (pertaining to adverse actions). However, an appointment under this subparagraph may be converted from one in the excepted service to a career conditional or career appointment in the competitive civil service, as defined in section 2102 of such title when the incumbent achieves full performance level air traffic controller status, as determined by the Administrator. The authority conferred by this subparagraph to make new appointments in the excepted service shall expire at the end of 5 years from the date of the enactment of this subparagraph; except that the Administrator may determine to extend such authority for 1 or more successive 1-year periods thereafter."

(b) CONFORMING AMENDMENT.—Section 362 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1560) is repealed.

(c) LIMITATION.—The repeal and the amendments made by this section shall not prohibit the expenditure of funds appropriated for fiscal years ending before October 1, 1994.

TITLE XII—DEPARTMENT OF VETERANS AFFAIRS

Subtitle A—Administrative Improvements

SEC. 12001. ELIMINATION OF HOSPITAL AND NURSING HOME BED CAPACITY REQUIREMENTS.

(a) Section 8110(a)(1) of title 38, United States Code, is amended—

(1) by striking "at not more than 125,000 and not less than 100,000"; and

(2) by striking the third and fourth sentences.

(b) Section 8111(a) of such title is amended by striking out "result (1)" and all that follows through "maintained or".

SEC. 12002. ELIMINATION OF REQUIREMENT FOR MINIMUM NUMBER OF PERSONNEL IN THE OFFICE OF INSPECTOR GENERAL.

Subsection (b) of section 312 of title 38, United States Code, is amended to read as follows:

"(b) Whenever the Secretary proposes to reduce the authorized number of full-time equivalent employees assigned to the Office of Inspector General, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report providing notice of the proposed reduction and a detailed explanation

for the proposed reduction. No action to carry out the proposed reduction may be taken after the submission of such report until the end of a 45-day period of continuous session of Congress (determined in the same manner as specified in the last sentence of section 510(b) of this title) following the date of the submission of the report."

SEC. 12003. MODIFICATION OF ADMINISTRATIVE REORGANIZATION AUTHORITY.

(a) MODIFICATION OF REQUIREMENT TO REPORT TO CONGRESS.—Section 510 of title 38, United States Code, is amended by striking out "90-day" both places it appears in subsection (b) and inserting in lieu thereof "45-day".

(b) AUTHORITY TO REORGANIZE OFFICES IN EVENT OF EMERGENCY.—Such section is further amended by striking out subsection (d) and inserting the following:

"(d)(1) The limitation in subsection (b) does not apply with respect to an administrative reorganization at a medical facility if the Secretary determines that the reorganization is necessary to respond to an emergency situation at that facility. The Secretary may determine that there is an emergency situation at a medical facility for purposes of this subsection only in a case in which there would be an immediate danger to patients and employees at that facility without the reorganization. In the case of a facility at which officials of the Department are considering whether to implement an administrative reorganization before the event or occurrence which leads to an initial finding that such an emergency exists, the Secretary may not make such a determination.

"(2) Whenever the Secretary determines under paragraph (1) that it is necessary to carry out an administrative reorganization at a medical facility without regard to the limitation in subsection (b), the Secretary shall submit a report on that determination to the Committees on Veterans' Affairs of the Senate and House of Representatives. The report shall provide the same information as is provided in a detailed plan and justification in the case of an administrative reorganization subject to subsection (b). The Secretary shall include in the report an explanation of the alternatives to the proposed administrative reorganization that were considered and each factor that was considered in the decision to reject each such alternative."

SEC. 12004. ELIMINATION OF REQUIREMENT FOR CERTAIN SERVICES IN THE VETERANS HEALTH ADMINISTRATION.

(a) Section 7305 of title 38, United States Code, is repealed.

(b) The table of sections at the beginning of chapter 73 of such title is amended by striking the item relating to section 7305.

SEC. 12005. MODIFICATION OF PHYSICIAN REQUIREMENT FOR CERTAIN SENIOR VETERANS HEALTH ADMINISTRATION OFFICIALS.

(a) UNDER SECRETARY.—Section 305 of title 38, United States Code, is amended—

(1) in subsection (a)(2), by striking out "shall be a doctor of medicine and shall be" and inserting in lieu thereof "shall (except as provided in subsection (d)(1)) be a doctor of medicine. The Under Secretary shall be";

(2) in subsection (d)—

(A) by adding at the end of paragraph (1) the following: "If at the time such a commission is established both the position of Deputy Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed by the President as Under Secretary for Health may be someone who is not a doctor of medicine. In any case, the Secretary shall develop, and shall furnish to the commission, specific criteria which the commission shall use in evaluating individuals for recommendations under paragraph (3).";

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after the first sentence of paragraph (3) the following: "In a case in which, pursuant to paragraph (1), the individual to be appointed as Under Secretary does not have to be a doctor of medicine, the commission may make recommendations without regard to the requirement in subsection (a)(2)(A) that the Under Secretary be appointed on the basis of demonstrated ability in the medical profession, but in such a case the commission shall accord a priority to the selection of a doctor of medicine over an individual who is not a doctor of medicine."; and

(D) by designating the last two sentences of paragraph (3) as paragraph (4).

(b) DEPUTY AND ASSOCIATE DEPUTY UNDER SECRETARY.—Section 7306 of such title is amended—

(1) in subsection (a)—

(A) by striking out "of the following:" in the matter preceding paragraph (1) and inserting in lieu thereof "such personnel as may be considered necessary for the purposes of this chapter. In appointing persons to positions in the Office, the Under Secretary shall consider the different types of health care services provided to veterans by the Veterans Health Administration and shall seek to ensure that appointments in the Office are made in such a manner that the Office is staffed so as to provide the Under Secretary with appropriate expertise in those services. The Office shall include the following:";

(B) by inserting "(except as provided in subsection (c))" in paragraphs (1) and (2) after "and who shall";

(C) by striking out each paragraph after paragraph (2);

(2) by striking out subsection (b);

(3) by redesignating subsection (c) as subsection (b) and striking out "In the case of" in the second sentence and all that follows through "such appointments" and inserting in lieu thereof "Such appointments"; and

(4) by inserting after subsection (b), as so redesignated, the following new subsection (c):

"(c)(1) If at the time of the appointment of the Deputy Under Secretary for Health under subsection (a)(1), both the position of Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Deputy Under Secretary for Health may be someone who is not a doctor of medicine.

"(2) If at the time of the appointment of the Associate Deputy Under Secretary for Health under subsection (a)(2), both the position of Under Secretary for Health and the position of Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Associate Deputy Under Secretary for Health may be someone who is not a doctor of medicine."

SEC. 12006. USE OF FUNDS RECOVERED FROM THIRD PARTIES.

(a) AUTHORIZED USES.—Section 1729(g) of title 38, United States Code, is amended by adding at the end of paragraph (3) the following new subparagraph:

"(C) Payments for (i) the purchase of needed medical equipment, and (ii) such other purposes as may be specifically authorized by law."

(b) AVAILABILITY OF FUNDS.—Such section is further amended by striking out paragraph (4) and inserting the following:

"(4)(A) Not later than December 1 of each year, there shall be set aside within the Fund a reserve to be used for the purposes described in paragraph (3)(C). The amount placed into the reserve each year shall be de-

termined under subparagraph (B). No funds may be obligated under paragraph (3)(C) in excess of the funds in the reserve. The reserve shall remain available for obligation until expended.

"(B)(i) On December 1, 1993, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

"(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1993, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

"(II) \$538,600,000.

"(ii) On December 1, 1994, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

"(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1994, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

"(II) \$590,500,000.

"(iii) On December 1, 1995, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

"(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1995, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

"(II) \$646,000,000.

"(iv) On December 1, 1996, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

"(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1996, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

"(II) \$698,100,000.

"(v) On December 1, 1997, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

"(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1997, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

"(II) \$753,500,000.

"(C) If the amount to be set aside for the reserve for any year, as calculated under subparagraph (B), is less than zero, the amount added to the reserve for that year shall be zero.

"(5) Not later than January 1 of each year, there shall be deposited into the Treasury as miscellaneous receipts an amount equal to the amount of the unobligated balance remaining in the Fund at the close of business on September 30 of the preceding year minus any part of such balance that the Secretary determines is necessary in order to enable the Secretary to defray, during the fiscal year in which the deposit is made, the expenses, payments, and costs described in paragraph (3), and the amount in the reserve described in paragraph (4).

"(6) The Secretary shall prescribe regulations for the allocation of amounts in the reserve under paragraph (4) to the medical centers of the Department for the purposes stated in paragraph (3)(C). Those regulations shall be designed to provide incentives to directors of medical centers to increase the recoveries and collections under this section by requiring that 20 percent of those amounts be made available each year directly to the medical centers at which such recoveries and collections have been at above average levels. The remaining 80 percent of those funds shall be allocated as the Secretary considers appropriate."

Subtitle B—Closure of Certain Facilities**SEC. 12101. CLOSURE OF SUPPLY DEPOTS.**

(a) IN GENERAL.—The Secretary of Veterans Affairs shall close the Department of Veterans Affairs' supply depots specified in subsection (b).

(b) COVERED DEPOTS.—Subsection (a) applies to the supply depots of the Department of Veterans Affairs at the following locations:

(1) Somerville, New Jersey.

(2) Hines, Illinois.

(3) Bell, California.

(c) DEADLINE.—The Secretary shall complete the actions required by subsection (a) not later than September 30, 1995.

SEC. 12102. WAIVER OF OTHER PROVISIONS.

Sections 510(b) and 8121 of title 38, United States Code, do not apply to the actions required under this subtitle.

Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs**SEC. 12201. PROVISION OF DATA BANK INFORMATION TO DEPARTMENT OF VETERANS AFFAIRS.**

(a) ADDITIONAL PURPOSE OF DATA BANK.—

(1) The heading to section 1144 of the Social Security Act is amended by striking “**medicare and medicaid**” and inserting “**Health care**”.

(2) Subsection (a) of that section is amended—

(A) in the matter preceding paragraph (1), by striking “Medicare and Medicaid” and inserting “Health Care”;

(B) by striking “and” at the end of paragraph (1);

(C) by substituting “, and” for the period at the end of paragraph (2); and

(D) by adding at the end the following:

“(3) assist in the identification of, and the collection from, third parties responsible for payment for health care items and services furnished to veterans under chapter 17 of title 38, United States Code.”.

(b) DISCLOSURE OF DATA BANK INFORMATION TO SECRETARY OF VETERANS AFFAIRS.—Subsection (b)(2)(B) of that section is amended by inserting “to the Secretary of Veterans Affairs and” after “Data Bank”.

Subtitle D—Veterans' Appeals Improvements**SEC. 12301. BOARD OF VETERANS' APPEALS.**

(a) BOARD MEMBERS AND PERSONNEL.—Section 7101(a) of title 38, United States Code, is amended to read as follows:

“(a)(1) There is in the Department a Board of Veterans' Appeals (hereinafter in this chapter referred to as the ‘Board’). The Board is under the administrative control and supervision of a Chairman directly responsible to the Secretary.

“(2) The members of the Board shall be the Chairman, a Vice Chairman, such number of Deputy Vice Chairmen as the Chairman may designate under subsection (b)(4), and such number of other members as may be found necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner. The Board shall have such other professional, administrative, clerical, and stenographic personnel as are necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner.”.

(b) ETHICAL AND LEGAL LIMITATIONS ON CHAIRMAN.—Section 7101(b)(1) of such title is amended by inserting after the first sentence the following: “The Chairman shall be subject to the same ethical and legal limitations and restrictions concerning involvement in partisan political activities as apply to judges of the United States Court of Veterans Appeals.”.

(c) APPOINTMENT AND REMOVAL OF BOARD MEMBERS.—Section 7101(b) of such title is further amended—

(1) in paragraph (2)(A) by striking “other members of the Board (including the Vice Chairman)” and inserting “Board members other than the Chairman”; and

(2) in paragraph (2)(B) by striking “paragraph” and inserting “subparagraph”; and

(3) by striking paragraph (4) and inserting the following:

“(4) The Secretary shall designate one Board member as Vice Chairman based upon recommendations of the Chairman. The Chairman may designate one or more Board members as Deputy Vice Chairmen. The Vice Chairman and any Deputy Vice Chairman shall perform such functions as the Chairman may specify. The Vice Chairman shall serve as Vice Chairman at the pleasure of the Secretary. Any Deputy Vice Chairman shall serve as Deputy Vice Chairman at the pleasure of the Chairman.”.

(d) ACTING BOARD MEMBERS.—Section 7101(c) of such title is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) The Chairman may from time to time designate one or more employees of the Department to serve as acting Board members.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2) and in that paragraph by—

(A) striking “temporary Board members designated under this subsection and the number of”; and

(B) striking “section 7102(a)(2)(A)(ii) of this title” and inserting “paragraph (1)”.

(e) CHAIRMAN'S ANNUAL REPORT.—Section 7101(d)(2) of such title is amended—

(1) by striking out “and” at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof “; and”; and

(3) by adding at the end the following new subparagraph:

“(F) the names of those employees of the Department designated under subsection (c)(1) to serve as acting Board members during that year and the number of cases each such acting Board member participated in during that year.”.

(e) CONFORMING AMENDMENTS.—Section 7101 of such title is further amended—

(1) in subsection (d)(3)(B), by striking “section 7103(d)” and inserting “section 7101(a)(2)”;

(2) in subsection (e), by striking “a temporary or” and inserting “an”.

SEC. 12302. DECISIONS BY THE BOARD.

(a) ACTION BY BVA THROUGH SECTIONS.—Sections 7102 and 7103 of title 38, United States Code, are amended to read as follows:

“§ 7102. Decisions by the Board

“A proceeding instituted before the Board shall be assigned to an individual member or a panel of members of the Board (other than the Chairman). A member or panel of members who are assigned a proceeding shall render a decision thereon, including any motion filed in connection therewith. The member or panel of members shall make a report under section 7104(d) of this title on any such determination, which report shall constitute the Board's final disposition of the proceeding. Decisions by a panel shall be made by a majority of the members of the panel.

“§ 7103. Reconsideration; correction of obvious errors

“(a) The decision of a member or panel of the Board under section 7102 of this title is final unless the Chairman orders reconsideration of the case. Such an order may be made on the Chairman's initiative or upon motion of the claimant.

“(b)(1) If the Chairman orders reconsideration in a case decided by a single member, the matter shall be referred to a panel of not

less than three Board members, not including the member who rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the panel and shall constitute the final decision of the Board.

“(2) If the Chairman orders reconsideration in a case decided by a panel of members, the matter shall be referred to an enlarged panel, not including the members of the panel which rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the expanded panel and shall constitute the final decision of the Board.

“(c) The Board on its own motion may correct an obvious error in the record, without regard to whether there has been a motion or order for reconsideration.”.

(b) CLERICAL AMENDMENT.—The items relating to sections 7102 and 7103 in the table of sections at the beginning of chapter 71 are amended to read as follows:

“7102. Decisions by the Board.

“7103. Reconsideration; correction of obvious errors.”.

SEC. 12303. TECHNICAL CORRECTION.

Section 7104(a) of title 38, United States Code, is amended by striking out “211(a)” and inserting in lieu thereof “511(a)”.

SEC. 12304. HEARINGS.

(a) IN GENERAL.—Section 7110 of title 38, United States Code, is amended to read as follows:

“§ 7110. Hearings

“(a) The Board shall decide any appeal only after affording the appellant an opportunity for a hearing.

“(b) A hearing docket shall be maintained and formal recorded hearings shall be held by such member or members of the Board as the Chairman may designate. Such member or members designated by the Chairman to conduct the hearing will participate in making the final determination in the claim.

“(c)(1) An appellant may request a hearing before the Board at either its principal location or at a regional office of the Department. A hearing held at a regional office shall (except as provided in paragraph (2)) be scheduled for hearing in the order in which the requests for hearing in that area are received by the Department at the place specified by the Department for the filing of requests for those hearings.

“(2) In a case in which the Secretary is aware that the appellant is seriously ill or is under severe financial hardship, a hearing may be scheduled at a time earlier than would be provided under paragraph (1).

“(d) At the request of the Chairman, the Secretary may provide suitable facilities and equipment to the Board or other components of the Department to enable an appellant located at a facility within the area served by a regional office to participate, through voice transmission, or picture and voice transmission, by electronic or other means, in a hearing with a Board member or members sitting at the Board's principal location. When such facilities and equipment are available, the Chairman may afford the appellant an opportunity to participate in a hearing before the Board through the use of such facilities and equipment in lieu of a hearing held by personally appearing before a Board member or members as provided in subsection (c). Any such hearing shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing. If the appellant declines to participate in a hearing through the use of such facilities and equipment, the opportunity of the appellant to a hearing as provided in subsection (c) shall not be affected.”.

(b) CLERICAL AMENDMENT.—The item relating to section 7110 in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

“7110. Hearings.”.

SEC. 12305. ELIMINATION OF REQUIREMENT FOR ANNUAL INCOME QUESTIONNAIRES.

Section 1506 of title 38, United States Code, is amended—

(1) in paragraph (2), by striking out “shall” and inserting in lieu thereof “may”; and

(2) in paragraph (3), by striking out “file a revised report” and inserting in lieu thereof “notify the Secretary”.

TITLE XIII—HUMAN RESOURCE MANAGEMENT

SEC. 13001. FEDERAL WORKFORCE TRAINING.

(a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended—

(1) in section 4101(4) by striking “fields” and all that follows through the semicolon and inserting “fields which will improve individual and organizational performance and assist in achieving the agency’s mission and performance goals;”;

(2) in section 4103—

(A) in subsection (a)—

(i) by striking “In” and all that follows through “maintain” and inserting “In order to assist in achieving an agency’s mission and performance goals by improving employee and organizational performance, the head of each agency, in conformity with this chapter, shall establish, operate, maintain, and evaluate”;

(ii) by striking “and” at the end of paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (4); and

(iv) by inserting after paragraph (2) the following:

“(3) provide that information concerning the selection and assignment of employees for training and the applicable training limitations and restrictions be made available to employees of the agency; and”; and

(B) in subsection (b)—

(i) in paragraph (1) by striking “determines” and all that follows through the period and inserting “determines that such training would be in the interests of the Government.”; and

(ii) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) in section 4105—

(A) in subsection (a) by striking “(a)”; and

(B) by striking subsections (b) and (c);

(4) by repealing section 4106;

(5) in section 4107—

(A) by amending the catchline to read as follows:

“§4107. Restriction on degree training”;

(B) by striking subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b), respectively;

(C) by amending subsection (a) (as so redesignated)—

(i) by striking “subsection (d)” and inserting “subsection (b)”; and

(ii) by striking “by, in, or through a non-Government facility”; and

(D) by amending paragraph (1) of subsection (b) (as so redesignated) by striking “subsection (c)” and inserting “subsection (a)”; and

(6) in section 4108(a) by striking “by, in, or through a non-Government facility under this chapter” and inserting “for more than a minimum period prescribed by the head of the agency”;

(7) in section 4113(b)—

(A) in the first sentence by striking “annually to the Office,” and inserting “to the Office, at least once every 3 years, and”; and

(B) by striking the matter following the first sentence and inserting the following: “The report shall set forth—

“(1) information needed to determine that training is being provided in a manner which is in compliance with applicable laws intended to protect or promote equal employment opportunity; and

“(2) information concerning the expenditures of the agency in connection with training and such other information as the Office considers appropriate.”;

(8) by repealing section 4114; and

(9) in section 4118—

(A) in subsection (a)(7) by striking “by, in, and through non-Government facilities”; and

(B) by striking subsection (b); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3381(e) by striking “4105(a),” and inserting “4105.”; and

(2) in the analysis for chapter 41—

(A) by repealing the items relating to sections 4106 and 4114; and

(B) by amending the item relating to section 4107 to read as follows:

“4107. Restriction on degree training.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date of enactment of this Act.

SEC. 13002. SES ANNUAL LEAVE ACCUMULATION.

(a) Effective on the last day of the last applicable pay period beginning in calendar year 1993, subsection (f) of section 6304 of title 5, United States Code, is amended to read as follows:

“(f)(1) This subsection applies with respect to annual leave accrued by an individual while serving in a position in—

“(A) the Senior Executive Service;

“(B) the Senior Foreign Service;

“(C) the Defense Intelligence Senior Executive Service;

“(D) the Senior Cryptologic Executive Service; or

“(E) the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.

“(2) For purposes of applying any limitation on accumulation under this section with respect to any annual leave described in paragraph (1)—

“(A) ‘30 days’ in subsection (a) shall be deemed to read ‘90 days’; and

“(B) ‘45 days’ in subsection (b) shall be deemed to read ‘90 days’.”.

(b) Notwithstanding the amendment made by subsection (a), in the case of an employee who, on the effective date of subsection (a), is subject to subsection (f) of section 6304 of title 5, United States Code, and who has to such employee’s credit annual leave in excess of the maximum accumulation otherwise permitted by subsection (a) or (b) of section 6304 (determined applying the amendment made by subsection (a)), such excess annual leave shall remain to the credit of the employee and be subject to reduction, in the same manner as provided in subsection (c) of section 6304.

TITLE XIV—REINVENTING SUPPORT SERVICES

SEC. 14001. SHORT TITLE.

This title may be cited as the “Government Information Dissemination and Printing Improvement Act of 1993”.

SEC. 14002. TRANSFER OF FUNCTIONS.

(a) SUPERINTENDENT OF DOCUMENTS.—The position of Superintendent of Documents and all functions of the position of Superintendent of Documents under title 44, United States Code, or any other provision of law are transferred to the Library of Congress and shall be carried out by the Superintendent of Documents under the direction of the Librarian of Congress. The Superintendent of Documents shall be appointed by, and serve

at the pleasure of, the Librarian of Congress. Until otherwise provided by law, on and after the effective date of the transfer under this subsection, the employees under the Superintendent of Documents who are transferred shall be treated, for purposes of the laws governing labor-management relations, in the same manner as such employees were treated before the effective date of such transfer.

(b) REVOCATION OF CHARTERS.—All printing plant charters authorized under section 501 of title 44, United States Code, are revoked.

(c) EFFECTIVE DATE.—The transfer under subsection (a) shall take effect one year after the date of the enactment of this title. The revocation under subsection (b) shall take effect 2 years after the date of the enactment of this title.

SEC. 14003. GOVERNMENT PUBLICATIONS TO BE AVAILABLE THROUGHOUT THE GOVERNMENT.

All Government publications shall be available throughout the Government to any department, agency, or entity of the Government for use or dissemination.

SEC. 14004. INVENTORY AND FURNISHING OF GOVERNMENT PUBLICATIONS.

Each department, agency, and other entity of the Government shall—

(1) establish and maintain a comprehensive inventory of its Government publications;

(2) make such inventory available through the electronic directory under chapter 41 of title 44, United States Code; and

(3) in the form and manner prescribed by the Superintendent of Documents, furnish its Government publications to the Superintendent of Documents.

SEC. 14005. ADDITIONAL RESPONSIBILITIES OF THE PUBLIC PRINTER.

(a) IN GENERAL.—The Public Printer shall, with respect to the executive branch of the Government and the judicial branch of the Government—

(1) use all necessary measures to remedy neglect, delay, duplication, and waste in the public printing and binding of Government publications, including the reduction and elimination of internal printing and high-speed duplicating capacities of departments, agencies, and entities;

(2) prescribe Government publishing standards, which, to the greatest extent practicable, shall be consistent with the United States Government Printing Office Style Manual;

(3) prescribe Government procurement and manufacturing requirements for printing paper and writing paper, which, to the greatest extent practicable, shall be consistent with Government Paper Specification Standards;

(4) authorize the acquisition and transfer of equipment requisitioned by publishing facilities authorized under section 501 of title 44, United States Code;

(5) authorize the disposal of such equipment pursuant to section 312 of title 44, United States Code; and

(6) establish policy for the acquisition of printing, which, to the greatest extent practicable, shall be consistent with (A) Printing Procurement Regulation (GPO Publication 305.3), (B) Government Printing and Binding Regulations (JCP No. 26), and (C) Printing Procurement Department Instruction (PP304.1B).

(b) POLICY STANDARDS.—The policy referred to in subsection (a)(6) shall be formulated to maximize competitive procurement from the private sector. Government in-house printing and duplicating operations authorized under section 501 of title 44, United States Code, or otherwise authorized by law, may be used if they provide printing at the lowest cost to the Government, taking into consideration the total expense of production, materials, labor, equipment, and

general and administrative expense, including all levels of overhead.

SEC. 14006. ADDITIONAL RESPONSIBILITIES OF THE SUPERINTENDENT OF DOCUMENTS.

(a) GOVERNMENT PUBLICATIONS TO BE FURNISHED TO THE SUPERINTENDENT OF DOCUMENTS.—If a department, agency, or other entity of the Government publishes a Government publication, the head of the department, agency, or entity shall furnish the Government publication to the Superintendent of Documents not later than the date of release of the material to the public.

(b) DISSEMINATION OR REPUBLICATION.—In addition to any other dissemination provided for by law, the Superintendent of Documents shall disseminate or republish Government publications, if, as determined by the Superintendent, the dissemination by the department, agency, or entity of the Government is inadequate. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under subsection (a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

(c) COST.—The cost charged to the public by the Superintendent of Documents under subsection (b) for any Government publication (whether such Government publication is made available to the public by a department, agency, or entity of the Government, or by the Superintendent of Documents) may include the incremental cost of dissemination, but may not include any profit.

SEC. 14007. DEPOSITORY LIBRARIES.

In addition to any other distribution provided for by law, the Superintendent of Documents shall make Government publications available to designated depository libraries and State libraries. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under section 14006(a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

SEC. 14008. DEFINITIONS.

As used in this title—

(1) the term "Government publication" means any informational matter that is published at Government expense, or as required by law; and

(2) the term "publish" means, with respect to informational matter, make available for dissemination.

TITLE XV—STREAMLINING MANAGEMENT CONTROL

SEC. 15001. AUTHORITY TO INCREASE EFFICIENCY IN REPORTING TO CONGRESS.

(a) PURPOSE.—The purpose of this title is to improve the efficiency of Executive branch performance in implementing statutory requirements for reports to Congress and its committees. Examples of improvements in efficiency intended by this title are the elimination or consolidation of duplicative or obsolete reporting requirements and adjustments to deadlines that will provide for more efficient workload distribution or improve the quality of reports.

(b) AUTHORITY OF THE DIRECTOR.—The Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports to the Congress or its committees. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Di-

rector shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(c) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(d) Prior to the publication of the recommendations authorized in subsection (b), the Director or his designee shall consult with the appropriate congressional committees concerning the recommendations.

TITLE XVI—FINANCIAL MANAGEMENT

SEC. 16001. SHORT TITLE.

This title may be cited as the "Federal Financial Management Act of 1993".

SEC. 16002. ELECTRONIC PAYMENTS.

(a) Section 3332 of title 31, United States Code, is amended to read as follows:

"§ 3332. Required direct deposit

"(a)(1) Notwithstanding any other provision of law, all Federal wage, salary, and retirement payments shall be paid to recipients of such payments by electronic funds transfer, unless another method has been determined by the Secretary of the Treasury to be appropriate.

"(2) Each recipient of Federal wage, salary, or retirement payments shall designate one or more financial institutions or other authorized payment agents and provide the payment certifying or authorizing agency information necessary for the recipient to receive electronic funds transfer payments through each institution so designated.

"(b)(1) The head of each agency shall waive the requirements of subsection (a) of this section for a recipient of Federal wage, salary, or retirement payments authorized or certified by the agency upon written request by such recipient.

"(2) Federal wage, salary, or retirement payments shall be paid to any recipient granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

"(c)(1) The Secretary of the Treasury may waive the requirements of subsection (a) of this section for any group of recipients upon request by the head of an agency under standards prescribed by the Secretary of the Treasury.

"(2) Federal wage, salary, or retirement payments shall be paid to any member of a group granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

"(d) This section shall apply only to recipients of Federal wage or salary payments who begin to receive such payments on or after January 1, 1995, and recipients of Federal retirement payments who begin to receive such payments on or after January 1, 1995.

"(e) The crediting of the amount of a payment to the appropriate account on the books of a financial institution or other authorized payment agent designated by a payment recipient under this section shall constitute a full acquittance to the United States for the amount of the payment."

(b) The table of sections for chapter 33 of title 31, United States Code, is amended by amending the item for section 3332 to read:

"3332. Required direct deposit."

SEC. 16003. FRANCHISE FUNDS AND INNOVATION FUNDS.

(a) Title 31, United States Code, is amended by adding, after section 1537, a section 1538, as follows:

"§ 1538. Franchise funds

"(a) There is hereby authorized to be established a franchise fund in any executive agency which does not have such a fund which shall be available, without further ap-

propriation action by the Congress, for expenses and equipment necessary for the maintenance and operations of such administrative services as the head of the agency, with the approval of the Office of Management and Budget, determines may be performed more advantageously on a centralized basis.

"(b)(1) The fund shall consist of the fair and reasonable value of inventories, equipment, and other assets and inventories on order pertaining to the services to be provided by the fund as are transferred by the head of the agency to the fund less related liabilities and unpaid obligations together with any appropriations made for the purpose of providing capital.

"(2) For the first fiscal year a fund is in operation and each fiscal year thereafter, an amount not to exceed 4 percent of the total income of the fund may be retained in the fund, to remain available until expended, to be used only for the acquisition of capital equipment and for the improvement and implementation of agency financial management and related support systems.

"(3) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency for salaries and expenses may be transferred into the fund no later than the end of the succeeding fiscal year.

"(c) The fund shall be reimbursed or credited with payments, including advance payments, from applicable appropriations and funds of the agency, other Federal agencies, and other sources authorized by law for supplies, materials, and services at rates which will recover the expenses of operations including accrued leave, depreciation of fund plant and equipment, and an amount necessary to maintain a reasonable operating reserve, as determined by the head of the agency.

"(d)(1) In the third fiscal year after the fund is established, and each year thereafter, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature must not be precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source financed through the funds.

"(2) If, after the end of the third fiscal year after a fund is established, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature is precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source financed through the fund, the fund shall be canceled."

(b) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1537, the following new item:

"1538. Franchise funds."

(c) Title 31, United States Code, is amended by adding, after section 1538, a section 1539, as follows:

"§ 1539. Innovation funds

"(a) There is hereby authorized to be established an innovation fund in any executive agency which does not have such a fund, which shall be available without further appropriation action by the Congress.

"(b) The purpose of the fund is to provide a self-sustaining source of financing for agencies to invest in projects designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Amounts available in the fund may be borrowed by the agency for such projects, subject to subsection (e).

"(c) Each agency that establishes an innovation fund will develop an investment

project selection process, including specific investment criteria such as return on investment, payback period, extent of matching or in-kind support (including such support from other Federal agencies), technical merit, and budget justification.

"(d) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency (other than appropriations for salaries and expenses) may be transferred to and merged with the innovation fund to be available to make loans to agency components for projects designed to enhance productivity and generate cost savings, provided that such transfers occur no later than the end of the succeeding fiscal year.

"(e)(1) Any amounts borrowed from the fund by an agency component to finance a project selected under the process described in subsection (c) shall be repaid to the fund at the times specified in the repayment schedule agreed upon at the time the loan is made.

"(2) Interest on loans made by the fund shall be paid to the fund at the rate on marketable Treasury securities of similar maturity at the time the loan is made.

"(3) Repayments shall be made from the accounts anticipated to receive the greatest long-term benefit from the project at the time the loan is made.

"(4) Repayments to the fund shall take priority over any other obligation of payments of an account designated to make repayments under paragraph (3) of this subsection."

(d) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1538, the following new item:

"1539. Innovation funds."

SEC. 16004. SIMPLIFICATION OF MANAGEMENT REPORTING PROCESS.

(a) To improve the efficiency of Executive branch performance in implementing statutory requirements for general management and financial management reports to the Congress and its committees, the Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports of agencies to the Office of Management and Budget or the President and of agencies or the Office of Management and Budget to the Congress under any laws for which the Office of Management and Budget has general management or financial management responsibility. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(b) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(c) Prior to the publication of the recommendations authorized in subsection (a), the Director or his designee shall consult with the appropriate congressional committees, including the House Committee on Government Operations and the Senate Committee on Governmental Affairs, concerning the recommendations.

SEC. 16005. ANNUAL FINANCIAL REPORTS.

(a) Section 3515 of title 31, United States Code, is amended to read as follows:

"§ 3515. Financial statements of agencies

"(a) Not later than March 1 of 1997 and each year thereafter, the head of each executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

"(b) Each audited financial statement of an executive agency under this section shall reflect—

"(1) the overall financial position of the offices, bureaus, and activities covered by the statement, including assets and liabilities thereof; and

"(2) results of operations of those offices, bureaus, and activities.

"(c) The Director of the Office of Management and Budget shall prescribe the form and content of the financial statements of executive agencies under this section, consistent with applicable accounting principles, standards, and requirements.

"(d) The Director of the Office of Management and Budget may waive the application of all or part of subsection (a).

"(e) Not later than March 1 of 1996, the head of each Executive agency identified in section 901(b) of this title and designated by the Director of the Office of Management and Budget shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

"(f) Not later than March 31 of 1994, 1995, and, for Executive agencies not designated by the Director of the Office of Management and Budget under subsection (e), 1996, the head of each Executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget a financial statement for the preceding fiscal year, covering—

"(1) each revolving fund and trust fund of the agency; and

"(2) to the extent practicable, the accounts of each office, bureau, and activity of the agency which performed substantial commercial functions during the preceding fiscal year.

"(g) For purposes of subsection (f), the term 'commercial functions' includes buying and leasing of real estate, providing insurance, making loans and loan guarantees, and other credit programs and any activity involving the provision of a service or thing for which a fee, royalty, rent, or other charge is imposed by an agency for services and things of value it provides."

(b) Subsection 3521(f) of title 31, United States Code, is amended to read as follows:

"(f)(1) For each audited financial statement required under subsections (a) and (e) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.

"(2) Not later than June 30 following the fiscal year for which a financial statement is submitted under subsection (f) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards."

SEC. 16006. AUTHORIZATION OF APPROPRIATIONS FOR ENHANCING DEBT COLLECTION.

(a) Title 31, United States Code, is amended by adding, after section 3720A, a section 3720B, as follows:

"§ 3720B. Authorization of appropriations for enhancing debt collection

"(a) To the extent and in the amounts provided in advance in appropriations acts—

"(1) an amount not to exceed 1 percent of the delinquent debts collected for a program in one fiscal year is authorized to be credited in the following fiscal year to a special fund for such program;

"(2) an amount not to exceed 10 percent of any sustained annual increase in delinquent debt collections, as defined by the Director of the Office of Management and Budget, is authorized to be credited to a special fund for such program; and

"(3) from amounts credited under paragraphs (1) and (2), such sums as may be necessary are authorized to be appropriated for the improvement of that program's debt collection activities, including, but not limited to, account and loan servicing, delinquent debt collection and asset disposition.

"(b) Debt is defined as delinquent under standards prescribed or to be prescribed by the Secretary of the Treasury.

"(c) For direct loan and loan guarantee programs subject to Title V of the Congressional Budget Act of 1974, amounts credited in accordance with section (a) shall be considered administrative costs and shall not be included in the estimated payments to the Government for the purpose of calculating the cost of such programs.

"(d) This section shall apply only to collection of debts—

"(1) for a program not within the Department of Justice; and

"(2) not involving the assistance of the Department of Justice."

(b) The table of sections for subchapter II of chapter 37 of title 31, United States Code, is amended by adding, after the item for section 3720A, the following new item:

"3720B. Authorization of appropriations for enhancing debt collection."

SEC. 16007. CONTRACTS FOR COLLECTION SERVICES.

(a) Subsection 3701(d) of Title 31, United States Code, is amended—

(1) by striking "and 3716-3719" and inserting in lieu thereof ", 3716, and 3717"; and

(2) by striking "the Social Security Act (42 U.S.C. 301 et seq.)".

(b) Section 3701 of title 31, United States Code, is amended by adding at the end the following:

"(e) Section 3718 of this title does not apply to a claim or debt under, or to an amount payable under, the Social Security Act (42 U.S.C. 301 et seq.) owed by a person receiving benefits under that Act or to a claim or debt under, or to an amount payable under, title 26 of the United States Code."

SEC. 16008. NOTIFICATION TO AGENCIES OF DEBTORS' MAILING ADDRESSES.

Section 3720A of title 31, United States Code is amended by striking "the individual's home address." at the end of subsection (c) and inserting the following: "the person's mailing address. Provision of this information is authorized by section 6103(m)(2) of the Internal Revenue Code (26 U.S.C. 6103(m)(2))."

SEC. 16009. CONTRACTS FOR COLLECTION SERVICES.

Subparagraph 3718(B)(1)(A) of title 31, United States Code, is amended by striking the following: "If the Attorney General makes a contract for legal services to be furnished in any judicial district of the United States under the first sentence of this paragraph, the Attorney General shall use his best efforts to obtain, from among attorneys regularly engaged in the private practice of law in such district, at least four such contracts with private individuals or firms in such district."

SEC. 16010. ADJUSTING CIVIL MONETARY PENALTIES FOR INFLATION.

The Federal Civil Penalties Inflation Adjustment Act of 1990 is amended by—

(1) amending section 4 to read as follows: "The head of each agency shall—

"(1) by regulation, no later than September 30, 1994, and at least once every 4 years thereafter, adjust each civil monetary penalty provided by law within the jurisdiction of the Federal agency, except for any penalty under title 26, United States Code, by the inflation adjustment described under section 5 and publish each such adjustment in the Federal Register; and

"(2) provide a report to the Secretary of the Treasury by November 15 of each year on all penalties adjusted during the preceding fiscal year.";

(2) amending subsection 5(a) by striking "The adjustment described under paragraphs (4) and (5)(A) of section 4" and inserting "The inflation adjustment"; and

(3) adding, after section 6, a section 7, as follows: "Section 7. Any increase to a civil monetary penalty resulting from this Act shall apply only to violations which occur after the date any such increase takes effect.".

TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY**SEC. 17001. SHORT TITLE.**

This title may be cited as the "Fiscal Year 1994 Rescission Act".

Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies**DEPARTMENT OF AGRICULTURE****AGRICULTURAL RESEARCH SERVICE****(RESCISSION AND TRANSFER OF FUNDS)**

Of the funds made available under this heading in Public Law 103-111 and subsequently transferred to the Human Nutrition Information Service pursuant to Secretary's Memorandum No. 1020-39, dated September 30, 1993, \$1,000,000 are rescinded and the remaining funds are transferred to the Agricultural Research Service: *Provided*, That funds appropriated by Public Law 103-111 for the functions of the former Human Nutrition Information Service shall be made available only to the Agricultural Research Service.

COOPERATIVE STATE RESEARCH SERVICE**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111, \$14,279,000 are rescinded, including \$4,375,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended; \$7,000,000 for competitive research grants; and \$2,904,000 for necessary expenses of the Cooperative State Research Service.

BUILDINGS AND FACILITIES**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111, \$2,897,000 are rescinded.

AGRICULTURAL MARKETING SERVICE**MARKETING SERVICES****(RESCISSION AND TRANSFER OF FUNDS)**

Of the funds made available under this heading in Public Law 103-111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020-39, dated September 30, 1993, \$100,000 are rescinded and the remaining funds are transferred to the Rural Development Administration.

PAYMENTS TO STATES AND POSSESSIONS**(TRANSFER OF FUNDS)**

Of the funds made available under this heading in Public Law 103-111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's

Memorandum No. 1020-39, dated September 30, 1993, \$435,000 are transferred to the Rural Development Administration.

FARMERS HOME ADMINISTRATION**RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT****(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111 for the cost of direct section 502 loans, \$35,000,000 are rescinded.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111 for the cost of direct loans, \$20,000,000 are rescinded.

RURAL WATER AND WASTE DISPOSAL GRANTS**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111, \$25,000,000 are rescinded.

SALARIES AND EXPENSES**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111, \$12,167,000 are rescinded.

FOOD AND NUTRITION SERVICE**COMMODITY SUPPLEMENTAL FOOD PROGRAM****(RESCISSION)**

Of the funds made available under this heading in Public Law 102-341, \$12,600,000 are rescinded.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS**(RESCISSION)**

Of the funds made available under this heading in Public Law 102-341, \$6,000,000 are rescinded.

PUBLIC LAW 480 PROGRAM ACCOUNT**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-111 for commodities supplied in connection with title III, \$20,000,000 are rescinded.

Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies**DEPARTMENT OF COMMERCE****ECONOMIC DEVELOPMENT ADMINISTRATION****ECONOMIC DEVELOPMENT REVOLVING FUND****(RESCISSION)**

Of the unobligated balances in the Economic Development Revolving Fund, \$29,000,000 are rescinded.

NATIONAL OCEANIC AND ATMOSPHERIC**ADMINISTRATION****CONSTRUCTION****(RESCISSION)**

Of the amounts made available under this heading in Public Law 103-121, \$3,000,000 are rescinded.

DEPARTMENT OF JUSTICE**ADMINISTRATIVE PROVISION**

For fiscal year 1994 only, the Director of the Bureau of Justice Assistance, upon good cause shown, may waive the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968 for projects located in communities covered under a Presidentially declared disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

DEPARTMENT OF STATE**ADMINISTRATION OF FOREIGN AFFAIRS****BUYING POWER MAINTENANCE****(RESCISSION)**

Of the balances in the Buying Power Maintenance account, \$8,800,000 are rescinded.

NEW DIPLOMATIC POSTS**(RESCISSION)**

Of the funds made available for the United States Information Agency under this heading in Public Law 102-395, \$1,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Subject to enactment of legislation authorizing the Secretary of State to charge a fee or surcharge for processing machine readable non-immigrant visas and machine readable combined border crossing identification cards and non-immigrant visas, the Secretary of State may collect not to exceed \$20,000,000 in additional fees or surcharges during fiscal year 1994 pursuant to such authority: *Provided*, That such additional fees shall be deposited as an offsetting collection to the Department of State, Administration of Foreign Affairs, "Diplomatic and Consular Programs" appropriation account and such fees shall remain available until expended: *Provided further*, That such collections shall be available only to modernize, automate, and enhance consular services and counterterrorism activities of the Department of State, to include the development and installation of automated visa and namecheck information systems, secure travel documents, worldwide telecommunications systems, and management systems to permit sharing of critical information regarding visa applicants and help secure America's borders.

THE JUDICIARY**COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES****DEFENDER SERVICES****(RESCISSION)**

Of the funds made available under this heading in Public Law 103-121, \$3,000,000 are rescinded.

RELATED AGENCIES**BOARD FOR INTERNATIONAL BROADCASTING****ISRAEL RELAY STATION****(RESCISSION)**

Of the funds made available under this heading, \$1,700,000 are rescinded.

UNITED STATES INFORMATION AGENCY**SALARIES AND EXPENSES****(INCLUDING RESCISSION)**

Of the funds made available under this heading in Public Law 103-121, \$1,177,000 are rescinded.

Notwithstanding the provisions of this or any other Act, not to exceed \$2,000,000 of the funds made available under this heading in Public Law 103-121 may be used to carry out projects involving security construction and related improvements for Agency facilities not physically located together with Department of State facilities abroad: *Provided*, That such funds may remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE**PROGRAMS****(RESCISSION)**

Of the funds made available under this heading in Public Law 103-121, \$850,000 are rescinded.

RADIO CONSTRUCTION**(RESCISSION)**

Of the funds made available under this heading in Public Law 103-121, \$2,000,000 are rescinded.

Subtitle C—Energy and Water Development**DEPARTMENT OF DEFENSE—CIVIL****DEPARTMENT OF THE ARMY****CORPS OF ENGINEERS—CIVIL****GENERAL INVESTIGATIONS****(RESCISSION)**

Of the amounts made available under this heading in Public Law 102-377 and prior

years' Energy and Water Development Appropriations Acts, \$24,970,000 are rescinded.

CONSTRUCTION, GENERAL
(RESCISSION)

Of the amounts made available under this heading in Public Law 102-377 and prior years' Energy and Water Development Appropriations Acts, \$97,319,000 are rescinded.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION
CONSTRUCTION PROGRAM
(RESCISSION)

Of the amounts made available under this heading in Public Law 102-377 and prior years' Energy and Water Development Appropriations Acts, \$16,000,000 are rescinded.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND
DEVELOPMENT ACTIVITIES
(RESCISSION)

Of the funds made available under this heading in Public Law 103-126, \$97,300,000 are rescinded: *Provided*, That the reduction shall be taken as a general reduction, applied to each program equally, so as not to eliminate or disproportionately reduce any program, project, or activity in the Energy Supply, Research and Development Activities account as included in the reports accompanying Public Law 103-126.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES
(RESCISSION)

Of the amounts made available under this heading in Public Law 102-377 and prior years' Energy and Water Development Appropriations Acts, \$42,000,000 are rescinded.

**Subtitle D—Foreign Operations, Export
Financing, and Related Agencies**

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT
INTERNATIONAL FINANCIAL INSTITUTIONS
INTERNATIONAL BANK FOR RECONSTRUCTION
AND DEVELOPMENT
(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the International Bank for Reconstruction and Development for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, \$27,910,500 is rescinded.

LIMITATION ON CALLABLE CAPITAL
SUBSCRIPTIONS

Notwithstanding Public Law 103-87, the United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed \$902,439,500.

CONTRIBUTION TO THE INTER-AMERICAN
DEVELOPMENT BANK
(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Inter-American Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock \$16,063,134 is rescinded.

LIMITATION ON CALLABLE CAPITAL
SUBSCRIPTIONS

Notwithstanding Public Law 103-87, the United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed \$1,563,875,725.

CONTRIBUTION TO THE ASIAN DEVELOPMENT
BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Asian Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock \$13,026,366 is rescinded.

LIMITATION ON CALLABLE CAPITAL
SUBSCRIPTIONS

Notwithstanding Public Law 103-87, the United States Governor of the Asian Development Bank may not subscribe in fiscal year 1994 to the callable capital portion of the United States share of any increases in capital stock.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT
AGENCY FOR INTERNATIONAL DEVELOPMENT
DEVELOPMENT ASSISTANCE
(RESCISSION)

Of the unexpended or unobligated balances (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, as amended, \$160,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Guatemala, \$8,000,000; Honduras, \$5,000,000; India, \$10,000,000; Indonesia, \$15,000,000; Morocco, \$10,000,000; Pakistan, \$15,000,000; Peru, \$5,000,000; Philippines, \$10,000,000; Thailand, \$10,000,000; and Yemen, \$5,000,000: *Provided further*, That \$10,000,000 of the funds rescinded under this paragraph are to be derived from non-country specific, centrally funded activities: *Provided further*, That \$57,000,000 of the funds rescinded under this paragraph are to be derived from prior year deobligated funds.

ECONOMIC SUPPORT FUND
(RESCISSION)

Of the unexpended or unobligated balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, \$90,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Kenya, \$2,000,000; Liberia, \$797,000; Oman, \$18,000,000; Peru, \$11,000,000; Philippines, \$10,200,000; and Somalia, \$3,003,000: *Provided further*, That \$45,000,000 of the funds rescinded under this paragraph are to be derived from the Private Sector Power Project (No. 391-0494) for Pakistan.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT
FOREIGN MILITARY FINANCING PROGRAM
(RESCISSION)

Of the grant funds made available (including earmarked funds) under this heading in Public Law 102-391 and prior appropriations Acts, \$66,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Benin, \$3,000; Cameroon, \$161,000; Central African Republic, \$59,000; Congo, \$7,000; Cote d'Ivoire, \$128,000; Equatorial Guinea, \$86,000; Gabon, \$3,000; Ghana, \$600,000; Guatemala, \$1,563,000; Guinea, \$499,000; Kenya, \$9,000,000; Liberia, \$15,000; Madagascar, \$505,000; Mali, \$3,000; Malawi, \$326,000; Mauritania, \$300,000; Morocco, \$8,000,000; Organization of American States, \$6,000; Oman, \$3,100,000; Pakistan, \$8,108,000; Peru, \$6,533,000; Philippines, \$5,000,000; Rwanda, \$250,000; Sao Tome & Principe, \$228,000; Somalia, \$4,349,000; Sudan, \$8,609,000; Thai-

land, \$1,384,000; Togo, \$19,000; Tunisia, \$4,100,000; Uganda, \$100,000; Yemen, \$2,241,000; Zambia, \$100,000; Zaire, \$455,000; and Zimbabwe, \$160,000.

**Subtitle E—Department of the Interior and
Related Agencies**

DEPARTMENT OF THE INTERIOR

U.S. FISH AND WILDLIFE SERVICE
CONSTRUCTION AND ANADROMOUS FISH
(RESCISSION)

Of the funds appropriated under this heading in Public Law 100-446 and Public Law 102-154, \$3,874,000 are rescinded.

DEPARTMENT OF THE TREASURY

BIOMASS ENERGY DEVELOPMENT
(RESCISSION)

Of the funds available under this heading, \$16,275,000 are rescinded.

DEPARTMENT OF ENERGY

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF
ENERGY

Section 303 of Public Law 97-257, as amended, is repealed.

The seventh proviso under the heading "Clean Coal Technology" in Public Law 101-512, and the seventh proviso under the heading "Clean Coal Technology" in Public Law 102-154, both concerning Federal employment, are repealed.

**Subtitle F—Departments of Labor, Health
and Human Services, Education, and Related
Agencies**

DEPARTMENT OF LABOR

(RESCISSION)

Of the amounts appropriated in Public Law 103-112 for salaries and expenses and administrative costs of the Department of Labor, \$4,000,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

(RESCISSION)

Of the amounts appropriated in Public Law 103-112 for salaries and expenses and administrative costs of the Department of Health and Human Services (except the Social Security Administration), \$37,500,000 are rescinded.

SOCIAL SECURITY ADMINISTRATION
SUPPLEMENTAL SECURITY INCOME PROGRAM
(RESCISSION)

Of the amounts appropriated in the first paragraph under this heading in Public Law 103-112, \$10,909,000 are rescinded.

LIMITATION ON ADMINISTRATIVE EXPENSES
(RESCISSION)

Of the funds made available under this heading in Public Law 103-112 to invest in a state-of-the-art computing network, \$80,000,000 are rescinded.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT
PROGRAM ADMINISTRATION
(RESCISSION)

Of the amounts appropriated under this heading in Public Law 103-112 for salaries and expenses and administrative costs of the Department of Education, \$8,500,000 are rescinded.

Subtitle G—Legislative Branch

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES
(RESCISSION)

Of the amounts made available under this heading in Public Law 101-520, \$633,000 are rescinded in the amounts specified for the following headings and accounts:

"ALLOWANCES AND EXPENSES", \$633,000, as follows:

"Official Expenses of Members", \$128,000; "supplies, materials, administrative costs

and Federal tort claims", \$125,000; "net expenses of purchase, lease and maintenance of office equipment", \$364,000; and "Government contributions to employees' life insurance fund, retirement funds, Social Security fund, Medicare fund, health benefits fund, and worker's and unemployment compensation", \$16,000.

Of the amounts made available under this heading in Public Law 102-90, \$2,352,000 are rescinded in the amounts specified for the following headings and accounts:

"HOUSE LEADERSHIP OFFICES", \$253,000;

"COMMITTEE ON THE BUDGET (STUDIES)", \$4,000;

"STANDING COMMITTEES, SPECIAL AND SELECT", \$378,000;

"ALLOWANCES AND EXPENSES", \$943,000, as follows:

"Official Expenses of Members", \$876,000; and "stenographic reporting of committee hearings", \$67,000;

"COMMITTEE ON APPROPRIATIONS (STUDIES AND INVESTIGATIONS)", \$595,000;

"SALARIES, OFFICERS AND EMPLOYEES", \$179,000, as follows:

"Office of the Postmaster", \$19,000; "for salaries and expenses of the Office of the Historian", \$26,000; "the House Democratic Steering and Policy Committee and the Democratic Caucus", \$73,000; and "the House Republican Conference", \$61,000.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102-392 and Public Law 103-69, \$1,000,000 and \$2,000,000, respectively, both made available until expended, are rescinded: *Provided*, That the Architect of the Capitol shall be considered the agency for purposes of the election in section 801(b)(2)(B) of the National Energy Conservation Policy Act and the head of the agency for purposes of subsection (b)(2)(C) of such section.

LIBRARY OF CONGRESS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-69 and Public Law 98-396, \$900,000 are rescinded.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103-69, \$1,300,000 are rescinded.

SUPPLEMENTAL APPROPRIATION

That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1994, and for other purposes, namely:

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Karen A. Henry, widow of Paul B. Henry, late a Representative from the State of Michigan, \$133,600.

Subtitle H—Department of Defense-Military

MILITARY CONSTRUCTION

(RESCISSIONS)

Of the funds appropriated under Public Law 103-110, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, \$22,319,000;

Military Construction, Navy, \$13,969,000;

Military Construction, Air Force, \$24,787,000;

Military Construction, Defense-Wide, \$13,663,000;

Military Construction, Army National Guard, \$7,568,000;

Military Construction, Air National Guard, \$6,187,000;

Military Construction, Army Reserve, \$2,551,000;

Military Construction, Naval Reserve, \$626,000;

Military Construction, Air Force Reserve, \$1,862,000;

North Atlantic Treaty Organization Infrastructure, \$70,000,000; and

Base Realignment and Closure Account, Part III, \$437,692,000.

Provided, That, within funds available for "Base Realignment and Closure Account, Part III" for fiscal year 1994, not less than \$200,000,000 shall be available solely for environmental restoration.

Subtitle I—Department of Transportation and Related Agencies

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The funds provided for "Small community air service" under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the funds made available for obligation in Public Law 103-122 are rescinded.

COAST GUARD

OPERATING EXPENSES

(RESCISSION)

Of the funds provided under this heading in Public Law 102-368, \$5,000,000 are rescinded.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

Of the funds provided under this heading in Public Law 102-368, \$2,000,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103-122, \$750,000 are rescinded.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances (including earmarked funds) under this heading, \$29,451,111 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the funds provided under the Airport and Airway Improvement Act of 1982, as amended, for grants-in-aid for airport planning and development and noise compatibility planning and programs, \$488,200,000 of the amount in excess of the funds made available for obligation in Public Law 103-122 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

(RESCISSION)

Of the funds made available for specific highway projects that are not yet under construction, \$85,774,222 are rescinded: *Provided*, That no funds shall be rescinded from any emergency relief project funded under section 125 of title 23, United States Code: *Provided further*, That for the purposes of this paragraph, a project shall be deemed to be not under construction unless a construction contract for physical construction has been awarded by the State, municipality, or other contracting authority.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(RESCISSION)

Of the amounts provided under this heading in Public Law 102-388, \$3,476,000 are rescinded.

Of the amounts provided under this heading in Public Law 101-516, \$1,075,000 are rescinded.

Of the amounts provided under this heading in Public Law 101-164, \$2,505,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION

DISCRETIONARY GRANTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Any unobligated balances of funds made available for fiscal year 1991 and prior fiscal years under section 3 of the Federal Transit Act, as amended, and allocated to specific projects for the replacement, rehabilitation, and purchase of buses and related equipment, for construction of bus-related facilities, and for new fixed guideway systems are rescinded: *Provided*, That no funds provided for the Miami Metromover project shall be rescinded: *Provided further*, That of the funds provided under this heading in Public Law 103-122, \$2,500,000 are rescinded.

Subtitle J—Treasury, Postal Service, and General Government

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103-123, \$126,022,000, are rescinded and are not available in fiscal year 1994: *Provided*, That no individual prospectus-level new construction project may be reduced by more than 5 percent.

ADMINISTRATIVE PROVISION

SEC. 17101. Section 630 of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102-393), and the amendment made by that section, are repealed.

Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, \$26,000,000 are rescinded.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE GRANTS (HOPE GRANTS)

(RESCISSION)

Of the funds made available under this heading in Public Law 102-389 and Public Law 102-139, \$66,000,000 are rescinded: *Provided*, That of the foregoing amount, \$34,000,000 shall be deducted from the amounts earmarked for the HOPE for Public and Indian Housing Homeownership Program and \$32,000,000 shall be deducted from the amounts earmarked for the HOPE for Homeownership of Multifamily Units Program.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSION)

Of the funds made available under this heading in Public Law 102-389 and prior years, and earmarked for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, \$25,000,000 are rescinded.

ASSISTANCE FOR THE RENEWAL OF EXPIRING
SECTION 8 SUBSIDY CONTRACTS

(RESCISSION)

Of the funds made available under this heading in Public Law 102-389 and prior years, \$20,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Notwithstanding any other provision of law, the City of Slidell, Louisiana, is authorized to submit not later than 10 days following the enactment of this Act, and the Secretary of Housing and Urban Development shall consider, the final statement of community development objectives and projected use of funds required by section 104(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(a)(1)) in connection with a grant to the City of Slidell under title I of such Act for fiscal year 1994.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

WATER INFRASTRUCTURE/STATE REVOLVING
FUNDS

(INCLUDING RESCISSION OF FUNDS)

Of the funds made available under this heading in Public Law 103-124, \$22,000,000 are rescinded: *Provided*, That the \$500,000,000 earmarked under this heading in Public Law 103-124 to not become available until May 31, 1994, shall instead not become available until September 30, 1994.

FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND
ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, \$2,000,000 are rescinded.

NATIONAL AERONAUTICS AND SPACE

ADMINISTRATION

RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, \$25,000,000 are rescinded.

CONSTRUCTION OF FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, \$25,000,000 are rescinded.

NATIONAL SCIENCE FOUNDATION

ACADEMIC RESEARCH INFRASTRUCTURE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, \$10,000,000 are rescinded.

NATIONAL SERVICE INITIATIVE

CORPORATION FOR NATIONAL AND COMMUNITY
SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-124, \$5,000,000 are rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The proviso under this heading in Public Law 103-124 is repealed.

**TITLE XVIII—ADDITIONAL DEFICIT
REDUCTION PROVISIONS**

SEC. 18001. RESCISSION OF FUNDS AND CANCELLATION OF SPACE STATION.

(a) CANCELLATION.—The Space Station program is hereby canceled.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the National Aeronautics and Space Administration—

(1) \$500,000,000 for costs associated with carrying out subsection (a) of this section; and

(2) \$300,000,000 for each of the fiscal years 1994 through 1998 for carrying out the responsibilities of the National Aeronautics and Space Administration.

(c) RESCISSION OF FUNDS.—Of the funds made available under the heading "National Aeronautics and Space Administration—Research and Development" in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103-124), \$1,946,000,000 is rescinded, to be derived from the redesigned space station.

SEC. 18002. RESCISSION OF FUNDS AND REDUCTION OF AUTHORIZATION FOR BALLISTIC MISSILE DEFENSE PROGRAM.

(a) FISCAL YEAR 1994 RESCISSION.—Of the funds made available under the heading "Research, Development, Test and Evaluation, Defense-Wide" in the Department of Defense Appropriations Act, 1994 (Public Law 103-139), \$350,000,000 is rescinded, to be derived from the Ballistic Missile Defense Program.

(b) FISCAL YEAR 1995 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1995 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed \$2,500,000,000.

(c) FISCAL YEAR 1996 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1996 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed \$2,450,000,000.

(d) FISCAL YEAR 1997 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1997 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed \$2,400,000,000.

(e) FISCAL YEAR 1998 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1998 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed \$2,350,000,000.

SEC. 18003. RESCISSION OF FUNDS AND CANCELLATION OF ADVANCED LIQUID METAL REACTOR PROGRAM.

(a) IN GENERAL.—The Secretary of Energy shall take such actions as are necessary to terminate, as soon as possible, the civilian portion of the advanced liquid metal reactor/integral fast reactor program of the Department of Energy, including the program's promotion of the use of such reactors for the disposal of high-level radioactive waste and Department of Energy support for regulatory applications to the Nuclear Regulatory Commission for design certification for advanced liquid metal reactors or related licensed facilities.

(b) RESCISSION OF FUNDS.—

(1) FISCAL YEAR 1994.—Subject to subsection (c), of the funds made available under the heading "Department of Energy—Energy Supply, Research and Development Activities" in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103-126), \$141,900,000 is rescinded, to be derived from the advanced liquid metal reactor/integral fast reactor program.

(2) PRIOR FISCAL YEARS.—Of the funds made available under the heading "Department of Energy—Energy Supply, Research and Development Activities" in appropriations Acts for fiscal year 1993 and prior fiscal years, the unobligated balance available on the date of the enactment of this Act for the advanced liquid metal reactor/integral fast reactor program is rescinded.

(c) TERMINATION COSTS.—Subsection (b)(1) shall not apply to the amount of the funds, not exceeding \$96,600,000, required for termination of the advanced liquid metal reactor/integral fast reactor program.

SEC. 18004. REDUCTION OF FORCES IN EUROPE.

(a) EFFECTIVE DATE FOR REQUIREMENT FOR REDUCTION TO 100,000 MILITARY PERSONNEL IN EUROPE CHANGED FROM FISCAL YEAR 1996 TO FISCAL YEAR 1995.—Section 1303(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 22 U.S.C. 1928 note) is amended by striking out "October 1, 1995" and inserting in lieu thereof "October 1, 1994".

(b) FURTHER END STRENGTH REDUCTIONS REQUIRED.—Notwithstanding section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), for each of fiscal years 1995, 1996, 1997, and 1998, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization in accordance with subsection (c).

(c) REDUCTION FORMULA.—For each percentage point that the allied contribution level is below the goal specified in subsection (d) as of the end of a fiscal year, as determined by the Secretary of Defense, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO by 1,000 for the next fiscal year. The reduction shall be made from the end strength level in effect, pursuant to section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), and subsection (b) of this section (if applicable), for the fiscal year in which the allied contribution level is below the goal specified in subsection (d).

(d) ANNUAL GOALS FOR FORCE REDUCTION.—The President is urged to seek, in continued efforts to enter into revised host-nation agreements as described in section 1301(e) of National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2545), to have European member nations of NATO assume an increased share of the non-personnel costs of United States military installations in those nations in accordance with the following timetable:

(1) By September 30, 1994, 18.75 percent of such costs should be assumed by those nations.

(2) By September 30, 1995, 37.5 percent of such costs should be assumed by those nations.

(3) By September 30, 1996, 56.25 percent of such costs should be assumed by those nations.

(4) By September 30, 1997, 75 percent of such costs should be assumed by those nations.

(e) END STRENGTH AUTHORITY.—Notwithstanding reductions required pursuant to subsection (b), the Secretary of Defense may maintain an end strength of at least 25,000 members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO.

(f) ALLOCATION OF FORCE REDUCTIONS.—To the extent that there is a reduction in end strength level for any of the Armed Forces in European member nations of NATO in a fiscal year pursuant to subsection (b)—

(1) half of the reduction shall be used to make a corresponding reduction in the authorized end strength level for active duty personnel for such Armed Force for that fiscal year; and

(2) half of the reduction shall be used to make a corresponding increase in permanent assignments or deployments of forces in the United States or other nations (other than

European member nations of NATO) for each such Armed Force for that fiscal year, as determined by the Secretary of Defense.

(g) DEFINITIONS.—For purposes of this section:

(1) ALLIED CONTRIBUTION LEVEL.—The term “allied contribution level”, with respect to any fiscal year, means the aggregate amount of nonpersonnel costs for United States military installations in European member nations of NATO that are assumed during that fiscal year by such nations.

(2) NONPERSONNEL COSTS.—The term “nonpersonnel costs”, with respect to United States military installations in European member nations of NATO, means costs for those installations other than costs paid from military personnel accounts.

It was decided in the Yeas 184
negative Nays 248

¶140.26

[Roll No. 610]

AYES—184

| | | |
|--------------|--------------|---------------|
| Abercrombie | Hefner | Payne (VA) |
| Ackerman | Hinchey | Pelosi |
| Allard | Hoagland | Penny |
| Andrews (ME) | Hoekstra | Peterson (MN) |
| Baesler | Holden | Petri |
| Barca | Hughes | Pomeroy |
| Barcia | Inslee | Porter |
| Barrett (WI) | Istook | Portman |
| Becerra | Jacobs | Poshard |
| Beilenson | Johnson (GA) | Price (NC) |
| Bereuter | Johnson (SD) | Ramstad |
| Bilbray | Johnston | Rangel |
| Bishop | Kanjorski | Reed |
| Blute | Kaptur | Reynolds |
| Borski | Kennedy | Roemer |
| Brewster | Kildee | Rostenkowski |
| Brown (OH) | Kingston | Roth |
| Bryant | Klecza | Roukema |
| Byrne | Klein | Rowland |
| Camp | Klink | Rush |
| Cantwell | Klug | Sanders |
| Cardin | Kreidler | Sangmeister |
| Clayton | LaFalce | Sawyer |
| Clement | Lambert | Schenk |
| Clyburn | Lantos | Schroeder |
| Coble | LaRocco | Schumer |
| Collins (IL) | Leach | Sensenbrenner |
| Collins (MI) | Lehman | Serrano |
| Condit | Levin | Sharp |
| Conyers | Lewis (GA) | Shays |
| Coppersmith | Lipinski | Shepherd |
| Costello | Long | Skaggs |
| Coyne | Lowe | Slaughter |
| Danner | Machtley | Snowe |
| de Lugo (VI) | Maloney | Stark |
| Deal | Mann | Stenholm |
| DeFazio | Margolies- | Strickland |
| Dellums | Mezvinsky | Studds |
| Deutsch | Markley | Stupak |
| Dooley | McCloskey | Sweet |
| Duncan | McDermott | Synar |
| Durbin | McKinney | Thomas (WY) |
| English (AZ) | McNulty | Thompson |
| English (OK) | Meehan | Towns |
| Evans | Menendez | Trafficant |
| Faleomavaega | Mfume | Unsoeld |
| (AS) | Miller (CA) | Upton |
| Flake | Minge | Valentine |
| Foglietta | Mink | Velazquez |
| Ford (MI) | Moakley | Vento |
| Frank (MA) | Murphy | Visclosky |
| Franks (NJ) | Nadler | Walsh |
| Furse | Neal (NC) | Washington |
| Gekas | Norton (DC) | Watt |
| Gilchrest | Nussle | Waxman |
| Goodlatte | Oberstar | Wheat |
| Goodling | Obey | Williams |
| Gordon | Olver | Woolsey |
| Grandy | Orton | Wyden |
| Gunderson | Owens | Wynn |
| Gutierrez | Pallone | Yates |
| Hamburg | Payne (NJ) | Zimmer |

NOES—248

| | | |
|--------------|--------------|-----------|
| Andrews (NJ) | Ballenger | Bilirakis |
| Andrews (TX) | Barlow | Blackwell |
| Applegate | Barrett (NE) | Bliley |
| Archer | Bartlett | Boehert |
| Armey | Barton | Boehner |
| Bacchus (FL) | Bateman | Bonilla |
| Bachus (AL) | Bentley | Bonior |
| Baker (CA) | Berman | Boucher |
| Baker (LA) | Bevill | Brooks |

| | | |
|--------------|----------------|---------------|
| Browder | Hastert | Parker |
| Brown (CA) | Hastings | Pastor |
| Brown (FL) | Hayes | Paxon |
| Bunning | Hefley | Peterson (FL) |
| Burton | Herger | Pickett |
| Buyer | Hilliard | Pickle |
| Callahan | Hobson | Pombo |
| Calvert | Hochbrueckner | Pryce (OH) |
| Canady | Hoke | Quillen |
| Carr | Horn | Quinn |
| Castle | Houghton | Rahall |
| Chapman | Hoyer | Ravenel |
| Clay | Huffington | Regula |
| Coleman | Hunter | Richardson |
| Collins (GA) | Hutchinson | Ridge |
| Combest | Hutto | Roberts |
| Cooper | Hyde | Rogers |
| Cox | Inglis | Rohrabacher |
| Cramer | Inhofe | Ros-Lehtinen |
| Crane | Jefferson | Rose |
| Crapo | Johnson (CT) | Roybal-Allard |
| Cunningham | Johnson, E. B. | Royce |
| Darden | Johnson, Sam | Sabo |
| de la Garza | Kasich | Santorum |
| DeLauro | Kennelly | Sarpaluis |
| DeLay | Kim | Saxton |
| Derrick | King | Schaefer |
| Diaz-Balart | Knollenberg | Schiff |
| Dickey | Kolbe | Scott |
| Dicks | Kopetski | Shaw |
| Dingell | Kyl | Shuster |
| Dixon | Lancaster | Sisisky |
| Doolittle | Laughlin | Skeen |
| Dornan | Lazio | Skelton |
| Dreier | Levy | Slattery |
| Dunn | Lewis (CA) | Smith (IA) |
| Edwards (CA) | Lewis (FL) | Smith (MI) |
| Edwards (TX) | Lightfoot | Smith (NJ) |
| Emerson | Linder | Smith (TX) |
| Engel | Livingston | Solomon |
| Eshoo | Lloyd | Spence |
| Everett | Manton | Spratt |
| Ewing | Manzullo | Stearns |
| Farr | Martinez | Stokes |
| Fawell | Matsui | Stump |
| Fazio | Mazzoli | Sundquist |
| McCandless | Swift | Talent |
| McCollum | Tanner | Tauzin |
| McCrery | Taylor (MS) | Taylor (NC) |
| McCurdy | Tejeda | Thomas (CA) |
| McDade | Thornton | Thurman |
| McHale | Torkildsen | Torres |
| McHugh | Torricelli | Tucker |
| McInnis | Underwood (GU) | Volkmer |
| McKeon | Vucanovich | Walker |
| McMillan | Waters | Weldon |
| Meek | Whitten | Wilson |
| Meyers | Wise | Wolf |
| Mica | Young (AK) | Young (FL) |
| Miller (FL) | Zeliff | |
| Mineta | | |
| Molinar | | |
| Mollohan | | |
| Montgomery | | |
| Moorhead | | |
| Moran | | |
| Morella | | |
| Murtha | | |
| Myers | | |
| Natcher | | |
| Neal (MA) | | |
| Ortiz | | |
| Oxley | | |
| Packard | | |

NOT VOTING—6

| | | |
|-----------|----------------|------------|
| Clinger | Michel | Smith (OR) |
| Ford (TN) | Romero-Barcelo | |
| Hall (OH) | (PR) | |

So the amendment was not agreed to.
After some further time,

The SPEAKER pro tempore, Mr. HOYER, assumed the Chair.

When Mr. HUGHES, Chairman, pursuant to House Resolution 320, reported the bill back to the House with an amendment adopted by the Committee and with the identical amendment considered as adopted by the House pursuant to House Resolution 320.

The previous question having been ordered by said resolution.

The question being put, viva voce,
Will the House agree to the following amendment:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Government Reform and Savings Act of 1993”.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

Sec. 1001. Department of Agriculture reorganization.

Subtitle B—Eliminating Federal Support for Honey

Sec. 1101. Amendments to section 207 of the Agricultural Act of 1949.

Sec. 1102. Amendment to section 405 of the Agricultural Act of 1949.

Sec. 1103. Amendments to section 405A of the Agricultural Act of 1949.

Sec. 1104. Savings provision.

TITLE II—DEPARTMENT OF COMMERCE

Sec. 2001. Polar satellite convergence.

TITLE III—DEPARTMENT OF DEFENSE

Sec. 3001. Use of proceeds from the sale of recyclable materials at military installations.

Sec. 3002. Closure of the Uniformed Services University of the Health Sciences.

Sec. 3003. Streamlining and reorganization of the Corps of Engineers.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

Sec. 4001. Short title.

Sec. 4002. Sale of Snettisham and Eklutna hydroelectric projects.

Sec. 4003. Assessment of alternative options.

Subtitle B—Federal-Private Cogeneration of Electricity

Sec. 4101. Federal-private cogeneration of electricity.

Subtitle C—Power Marketing Administrations

Sec. 4201. Power Marketing Administrations refinancing study.

Sec. 4202. Bonneville Power Administration refinancing study.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

Sec. 4301. Termination of advanced liquid metal reactor program.

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 5001. Study of methods to increase flexibility in contracting for Medicare claims processing.

Sec. 5002. Workers' compensation data exchange pilot projects.

Sec. 5003. Federal clearinghouse on death information.

Sec. 5004. Continuing disability reviews.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sec. 6001. Multifamily property disposition.

Sec. 6002. Section 235 mortgage refinancing.

Sec. 6003. Use of emergency assistance funds for residency in multifamily housing disposition projects.

Sec. 6004. Additional employees to facilitate disposition of FHA inventory properties.

Sec. 6005. HUD streamlining.

TITLE VII—DEPARTMENT OF THE INTERIOR

Sec. 7001. Improvement of Minerals Management Service royalty collection.

Sec. 7002. Phase out of Mineral Institute program.